

REFERENCE GUIDE TO STATE BOATING LAWS

sixth edition

Ed Carter, Chairman
Law Enforcement Committee

Chris Moore and Ron Sarver, Editors



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the Aquatic Resources
(Wallop-Breaux) Trust Fund
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U.S. Coast Guard



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The National Association of State Boating Law Administrators (NASBLA) is a professional association consisting of state, commonwealth and provincial officials having responsibility for administering and/or enforcing state boating laws. NASBLA's mission is to protect, promote and enhance safe and enjoyable boating on our nation's waters and to foster partnerships and cooperation among recreational boating safety interests.

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FOREWORD

It is with pleasure that NASBLA presents to you the Sixth Edition of the Reference Guide to State Boating Laws. In just a few short years, this book has become *the* reference tool for recreational boating safety professionals. The hard work of the NASBLA Law Enforcement Committee and staff in producing this product is greatly appreciated by those of us concerned with recreational boating safety public policy.

The Sixth Edition provides information collected throughout the summer and fall of 2000. As we started last year, we've taken a look back at some of the historical data from previous editions of the Reference Guide and given you some snapshots from where we've come. We continue to see more states requiring some form of boating education.

As always, we invite your comments or suggestions regarding the Reference Guide. Please send them to our headquarters office. We appreciate your input and hope you find the Reference Guide useful.



Mike Wilson
Arkansas Game & Fish Commission
President, NASBLA

EXECUTIVE SUMMARY

The purpose of this guide is to summarize the information that was gathered in a survey of states' boating laws. The survey was conducted by the National Association of State Boating Law Administrators' (NASBLA) Law Enforcement Committee. The guide will assist state boating law administrators and others to improve state boating law programs. It provides information about specific state boating laws, regulations, and other areas of boating safety interest. When developing new policies or instituting new programs, it is common to ask what other states are doing in the area. This book helps provide those answers. The guide aims to promote greater uniformity in state boating laws and regulations and to facilitate the efficient administration and enforcement of boating laws. Copies of this reference guide have been distributed to each state, the U.S. Coast Guard and others concerned with boating safety laws and regulations. The project was funded by a grant from the Aquatic Resources (Wallop/Breaux) Trust Fund administered by the U.S. Coast Guard.

The survey was written in June of 2000 and mailed to state boating law administrators from the 50 United States and territories (District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands). Responses were received from all but the District of Columbia, Hawaii, Louisiana, and West Virginia, whose answers remained the same as reported in the Fifth Edition. All answers were taken as fact and have been reported as such.

All laws detailed in the Reference Guide were in effect as of September, 2000 except as otherwise noted. The laws are subject to change without notice by agencies, states or the U.S. Coast Guard. Contact the appropriate state boating law administrator for more details on the latest information.

SURVEY OVERVIEW

The survey instrument consists of 191 questions divided into seven sections:

Section 1 - General Information

Section 1 includes information on agency organization, personnel and scope of authority for regulations and enforcement of boating laws.

Section 2 - Vessel Operation

Section 2 includes information on operator age, licensing, education and water skiing.

Section 3 - Vessel & Equipment Regulations

Section 3 is the largest section of the survey. It addresses boat noise, lighting, marine sanitation devices, numbering and titling, personal watercraft (PWC), personal flotation devices (PFDs) and safety equipment. This section reveals differences in state policies in areas that are not pre-empted by federal regulations.

Section 4 - Law Enforcement

Section 4 covers state boating under the influence (BUI) laws. Included are the blood alcohol concentration levels for each state and the type of test allowed and required. New in this section is information regarding the availability and legality of portable boating under the influence (BUI) equipment. This section also includes law enforcement information on boarding vessels, towing, and “negligent operation” citations.

Section 5 - Definitions

The source of the definitions are state statutes and regulations. When defining terms such as “vessel,” “person,” “owner,” “dealer,” and “personal watercraft,” most states are in general agreement, but slight differences exist in wording. The notable similarities and differences are addressed in this section.

Section 6 - Marine Law Enforcement Policy

Section 6 includes information concerning marine law enforcement policies. These questions cover topics such as transportation and pursuit, officer safety, officer aid, agency interaction and investigation, officer responsibilities, officer training and agency policies.

Section 7 - Legal Decisions

Section 7 includes information covering state and federal court rulings as well as Attorneys General’s opinions on a variety of topics including BUI, implied consent, personal flotation devices, numbering and titling, marine sanitation devices, agency funding and other relevant topics. Included is a table detailing recent and future boating legislation for each state.

SURVEY OVERVIEW

This guide includes results from each section of the survey. Each section of the guide begins with a narrative summary of the information revealed by the survey for that section. Informational boxes accompany the narrative summary, providing a numerical count of states and their responses to designated survey questions. Additionally, this year's *Reference Guide* includes several graphs showing the trends over the past six years. Since many survey questions required "Yes" or "No" answers, these informational boxes are helpful in quickly determining how states responded to these questions. In many cases, "yes" or "no" answers may not fully answer the question. Contact the appropriate state boating law administrator for more details. "N/A" (uppercase) in place of an answer means "no answer"; *n/a* (lowercase) means "not applicable". *State Tables* detail states' particular responses to survey questions at the end of each section. Using *State Tables*, an individual state response to a particular question can be easily determined. Informational boxes and *State Tables* summarize the survey questions; for precise wording of survey questions consult Appendix A, the survey instrument.

GENERAL INFORMATION

Section 1 of the survey contains *General Information*. The names of state agencies that administer boating laws are unique to each state. Likewise, the cabinet or department the organization is a part of varies among states depending on state constitutions and statutes. Some organizations themselves are cabinet or department level functions of state government while others operate under the authority of another department. For example in Alaska, Colorado, Delaware, Georgia, Illinois, Indiana, Iowa, Maryland, Michigan, Minnesota, Ohio, South Carolina and Wisconsin state boating laws are administered by the Department of Natural Resources, an autonomous department of state government, while in Alabama the Marine Police Division administers and enforces state boating laws under the authority of the Department of Conservation and Natural Resources. The *State Table* on page 8 provides a listing of which state government departments administer state boating laws.

AGENCY RESPONSIBILITY

NUMBER OF STATES* WITH:	
Agencies with additional responsibilities	56
Personnel deputized to enforce federal fish and game laws	35
Boating safety statutes available electronically	40
Boating safety regulations available electronically	34

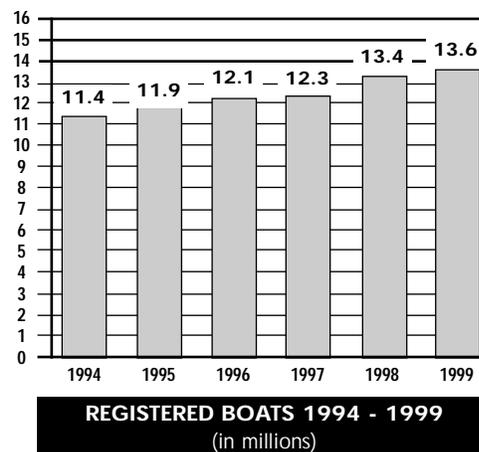
Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
 *Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
 Excludes Canada.

AGENCY RESPONSIBILITIES

All state boating law agencies have responsibilities beyond boating law enforcement. Additional responsibilities range from administration of wildlife, environmental, fish and game laws (most common) to forestry, snowmobile, ATV and pollution control.

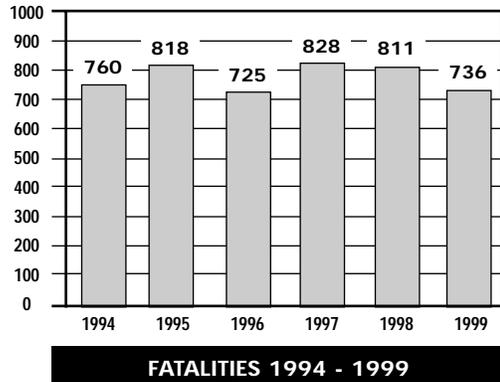
NUMBER OF REGISTERED VESSELS & FATALITIES

According to survey results there are 13,619,138 registered recreational vessels in the United States, commonwealths and territories. States with the highest number of registered recreational vessels include Michigan (989,706), California (954,716), Florida (829,971) and Minnesota (793,107). Those



with the lowest count of registered vessels include American Samoa (104), Northern Mariana Islands (1,048), and the District of Columbia (1,843).

In 1994, there were 760 boating fatalities in the United States, or 6.7 fatalities per 100,000 registered vessels. In 1995, there were 818 fatalities in the United States, or 6.9 fatalities per 100,000 registered vessels. In 1996, there were 725 fatalities in the United States, or 6.0 fatalities per 100,000 registered boats. In 1997, there were 828 fatalities, or 6.7 fatalities per 100,000



registered boats. 1998 figures reflect a drop to 811 fatalities nationwide, or 6.0 fatalities per 100,000 registered boats. 1999 continued a three year downward trend in fatalities, with states reporting a total of 737 fatalities, or 5.4 fatalities per 100,000 vessels. According to Coast Guard statistics, fatalities per 100,000 registered vessels was 7.1 in 1993 and 7.3 in 1992. (U.S. Coast Guard Boating Statistics 1993) For individual state statistics of numbered vessels and fatalities see State Tables 1.3, VESSELS & FATALITIES .

RESPONSIBILITY FOR REGULATION AND ENFORCEMENT

The gap is closing between states in their regulation and enforcement of commercial vessels on sole-state waters. The survey revealed that 47 states regulate commercial vessels on sole state waters. State responsibility for commercial vessels not handled by boating law agencies falls to Secretary of State Offices, Departments of Labor and Industry, or Port Authorities. Thirty states regulate vessel operation in white water areas.

DIVE TEAMS

Twenty states reported that their agency had a dive team. Among the states whose agency did not have a dive team, the agency responsible for victim recovery most often were local agencies or county sheriffs' offices.

STATE REGULATORY AUTHORITY

NUMBER OF STATES* THAT:

Regulate commercial vessels on sole-state waters	47
Regulate vessel operation in white water areas	30

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

AGENCY NAME AND DEPARTMENT

[Table 1.1]

State	Organization	Cabinet or Department?	Personnel Deputized to Enforce Federal Fish & Game Laws
Alabama	Marine Police Division	Conservation & Natural Resources	No
Alaska	Div of Parks & Outdoor Recreation	Department of Natural Resources	No
American Samoa	Dept. of Public Safety, Marine Enforcement	Department of Public Safety	Yes
Arizona	Arizona Game and Fish Department	Game & Fish Department	Yes
Arkansas	Arkansas Game and Fish Commission	An autonomous agency	Yes
California	CA Department of Boating & Waterways	California Resources Agency	Yes
Canada (Ontario)	Ont. Provincial Police, Traffic & Marine Safety	Ontario Ministry of the Solicitor General	Yes
Colorado	CO DNR, Colorado State Parks	Department of Natural Resources	No
Connecticut	Dept. of Environmental Protection	Department of Environ. Protection	Yes
Delaware	Division of Fish & Wildlife Enforcement	Department of Natural Resources	Yes
District of Columbia	Harbor Patrol	Metropolitan Police Department	Yes
Florida	Fish & Wildlife Conservation Commission	Constitutional Agency	Yes
Georgia	Department of Natural Resources	Department of Natural Resources	Yes
Guam	Guam Police Department, Harbor Patrol	Guam Police Department	No
Hawaii	Div. of Boating and Ocean Recreation	Dept. Land & Natural Resources	Yes
Idaho	Department of Parks & Recreation	Department of Parks & Recreation	No
Illinois	Office of Law Enforcement	Department of Natural Resources	Yes
Indiana	Department of Natural Resources	Department of Natural Resources	Yes
Iowa	Law Enforcement Bureau	Department of Natural Resources	Yes
Kansas	Department of Wildlife & Parks	Department of Wildlife & Parks	No
Kentucky	Law Enforcement Division	Department of Fish & Wildlife	Yes
Louisiana	Department of Wildlife & Fisheries	Department of Wildlife & Fisheries	Yes
Maine	Inland Fisheries & Wildlife Department	Inland Fisheries & Wildlife Department	Yes
Maine	Maine Marine Patrol / Salt Water	Marine Resources	No
Maryland	Natural Resources Police	Department of Natural Resources	Yes
Massachusetts	Massachusetts Environmental Police	Fisheries, Wildlife & Environ. L.E.	Yes
Michigan	Law Enforcement Division	Department of Natural Resources	No
Minnesota	Department of Natural Resources	Department of Natural Resources	Yes
Mississippi	Dept. of Wildlife, Fisheries & Parks	Dept. of Wildlife, Fisheries & Parks	Yes
Missouri	Missouri State Water Patrol	Department of Public Safety	No
Montana	Montana Dept. of Fish, Wildlife & Parks	Dept. of Fish, Wildlife & Parks	Yes
N. Mariana Islands	Department of Public Safety	Department of Public Safety	Yes
Nebraska	Nebraska Game & Parks Commission	Game & Parks Commission	Yes
Nevada	Nevada Division of Wildlife	Dept. of Cons. & Natural Resources	Yes
New Hampshire	Division of Safety Services	Department of Safety	No
New Jersey	New Jersey State Police	Department of Law & Public Safety	Yes
New Mexico	New Mexico State Parks	Energy, Minerals & Natural Res.	No
New York	NY State Parks & Recreation	NY State Parks & Recreation	No
North Carolina	Wildlife Resources Commission	Environmental & Natural Resources	Yes
North Dakota	North Dakota Game and Fish Department	Game and Fish Department	Yes
Ohio	Division of Watercraft	Department of Natural Resources	No
Oklahoma	Highway Patrol, Lake Patrol Section	Department of Public Safety	No
Oregon	Oregon State Marine Board	State Marine Board	No
Pennsylvania	Fish & Boat Commission	Fish & Boat Commission	No
Puerto Rico	Dept. of Natural & Environmental Res.	Dept. of Natural & Environ. Res.	Yes
Rhode Island	Division of Law Enforcement	Dept. Environmental Management	Yes
South Carolina	Department of Natural Resources	Department of Natural Resources	Yes
South Dakota	Department of Game, Fish & Parks	Dept. of Game, Fish & Parks	Yes
Tennessee	Tennessee Wildlife Resources Agency	Autonomous	Yes
Texas	Parks & Wildlife Department	Law Enforcement Division	Yes
Utah	Division of Parks & Recreation	Department of Natural Resources	No
Vermont	Vermont State Police, Marine Division	Dept. of Public Safety	No
Virgin Islands	Dept. of Planning & Natural Resources	Dept. of Planning & Natural Res.	Yes
Virginia	Department of Game & Inland Fisheries	Dept. of Game & Inland Fisheries	Yes
Washington	State Parks & Recreation Commission	Parks & Recreation Commission	No
West Virginia	Division of Natural Resources, L.E. Section	Bureau of Commerce	Yes
Wisconsin	Department of Natural Resources	Department of Natural Resources	No
Wyoming	Game & Fish Department	Game and Fish	Yes

WEB SITES AND LEGISLATIVE MEETING DATES

[Table 1.2]

State	Agency Web Site Address (http://www.)	State Legislature Web Site Address (http://www.)	State Legislature 2000 Meeting Dates
Alabama	dcnr.state.al.us	legislature.state.al.us	February 6 to May 14
Alaska	alaskaboatingsafety.org	legis.state.ak.us	January 8 to May 8
American Samoa	n/a	samoanet.com/asg	Begins January 8
Arizona	azgfd.com	azleg.state.az.us	January 8 through April 17
Arkansas	agfc.state.ar.us	arkleg.state.ar.us	January 8 to March 8
California	dbw.ca.gov	leginfo.ca.gov	December 4 to Sept 14 September
Canada (Ontario)	gov.on.ca/opp/	n/a	n/a
Colorado	coloradoparks.org	state.co.us/gov	January 10 to May 9
Connecticut	dep.state.ct.us	cga.state.ct.us	January 3 to June 6
Delaware	dnrec.state.de.us/fw/fwvel	state.de.us/research/assembly	January 9 to June 30
District of Columbia	mpdc.org	dccouncil.washington.dc.us	Begins January 2
Florida	state.fl.us/fwc	leg.state.fl.us	March 6 to May 4
Georgia	dnr.state.ga.us	state.ga.us/legis	January 8 to mid March
Guam	guampolice.com	n/a	Begins January 8
Hawaii	hawaii.gov	capitol.hawaii.gov	January 17 to early May
Idaho	idahoparks.org	state.id.us/legislat	January 8 to late March
Illinois	dnr.state.il.us	legis.state.il.us	Begins January 10
Indiana	state.in.us/dnr	state.in.us/legislative	January 8 to April 29
Iowa	state.ia.us/dnr	legis.state.ia.us	January 8 to April 27
Kansas	kdwp.state.ks.us	state.ks.us/public/legislative	January 8 to late April
Kentucky	state.ky.us/agencies/kdfwr	lrc.state.ky.us	Begins in January
Louisiana	wlf.state.la.us	legis.state.la.us	March 26 to June 18
Maine	mefishwildlife.com	janus.state.me.us/legis	December 6 to June 20
Maryland	dnr.state.md.us	mlis.state.md.us	January 10 to April 9
Massachusetts	state.ma.us/dfwele/dle_toc	magnet.state.ma.us/legis	Begins January 3
Michigan	dnr.state.mi.us	michiganlegislature.org	Begins January 10
Minnesota	dnr.state.mn.us	leg.state.mn.us	January 3 to May 30
Mississippi	mdwfp.com	ls.state.ms.us	January 2 to April 1
Missouri	mswp.state.mo.us	moga.state.mo.us	January 3 to May 30
Montana	fwp.state.mt.us	leg.state.mt.us	January 3 to late April
N. Mariana Islands	dps.gov.mp	N/A	Full time legislature
Nebraska	ngpc.state.ne.us/boating	unicam.state.ne.us	January 3 to early June
Nevada	nevadadivisionofwildlife.org	leg.state.nv.us	February 5 to June 4
New Hampshire	state.nh.us/safety/ss/index	state.nh.us	January 3 to late June
New Jersey	n/a	njleg.state.nj.us	Begins January 9
New Mexico	emnrd.state.nm.us/nmparks/	legis.state.nm.us	January 16 to March 16
New York	nysparks.com/boats	assembly.state.ny.us	Begins January 9
North Carolina	state.nc.us/wildlife	ncga.state.nc.us	January 24 to early July
North Dakota	state.nd.us/gnf	state.nd.us	January 9 to mid April
Ohio	dnr.state.oh.us/odnr/watercraft	legislature.state.oh.us	Full time legislature
Oklahoma	dps.state.ok.us	lsb.state.ok.us	February 5 to May 25
Oregon	boatoregon.com	leg.state.or.us	January 8 to early July
Pennsylvania	fish.state.pa.us	legis.state.pa.us	Full time legislature
Puerto Rico	drnapr.com	senado.gvmt.pr.us	January 8 to June 30
Rhode Island	state.ri.us/dem	rillin.state.ri.us	January 2 to late June
South Carolina	n/a	leginfo.state.sc.us	January 9 to June 7
South Dakota	state.sd.us/gfp	state.sd.us/state/legis	January 9 to late March
Tennessee	state.tn.us/twra	legislature.state.tn.us	January 30 to late May
Texas	tpwd.state.tx.us	capitol.state.tx.us	January 9 to May 28
Utah	parks.state.ut.us	le.state.ut.us	January 15 to February 28
Vermont	dps.state.vt.us	leg.state.vt.us	January 3 to mid May
Virgin Islands	n/a	senate.gov.vi	Begins January 8
Virginia	dgif.state.va.us	legis.state.va.us	January 10 to February 24
Washington	parks.wa.gov	leg.wa.gov	January 8 to April 22
West Virginia	dnr.state.wv.us	legis.state.wv.us	February 14 to April 14
Wisconsin	dnr.state.wi.us	legis.state.wi.us/	Begins January 3
Wyoming	gf.state.wy.us	legisweb.state.wy.us	January 9 to early March

VESSELS AND FATALITIES [Table 1.3]

State	Number of Boats 1999	Boating Fatalities 1999	Fatalities Per 100,000 Boats 1999	Boating Fatalities 1998	Fatalities Per 100,000 Boats 1998
Alabama	267,868	17	6.3	32	12.0
Alaska	31,648	29	91.6	38	120.1
American Samoa	104	0	0.0	0	0.0
Arizona	151,080	9	6.0	14	8.8
Arkansas	207,316	15	7.2	20	9.6
California	954,716	42	4.4	58	6.1
Canada (Ontario only)	800,000	56	7.0	50	6.3
Colorado	103,000	11	10.7	9	9.0
Connecticut	104,670	5	4.8	8	7.8
Delaware	45,854	3	6.5	6	13.5
District of Columbia	1,843	N/A	N/A	0	0.0
Florida	829,971	58	7.0	70	8.7
Georgia	319,123	18	5.6	16	5.2
Guam	3,000	0	0.0	0	0.0
Hawaii	16,258	N/A	N/A	5	30.8
Idaho	85,647	13	15.2	10	11.9
Illinois	371,016	13	3.5	19	4.9
Indiana	218,697	4	1.8	11	5.1
Iowa	204,926	6	2.9	4	1.8
Kansas	102,424	5	4.9	4	3.9
Kentucky	170,108	20	11.8	10	6.0
Louisiana	320,000	35	10.9	31	9.7
Maine	116,721	12	10.3	12	9.5
Maryland	204,000	6	2.9	11	5.4
Massachusetts	149,000	10	6.7	9	6.1
Michigan	989,706	28	2.8	21	2.1
Minnesota	793,107	22	2.8	13	1.7
Mississippi	281,966	24	8.5	11	4.1
Missouri	331,700	23	6.9	23	7.0
Montana	50,710	11	12.2	7	14.2
N. Mariana Islands	1,048	1	95.4	N/A	N/A
Nebraska	72,156	4	5.5	4	5.5
Nevada	60,639	2	3.3	7	11.8
New Hampshire	96,062	6	6.2	8	8.6
New Jersey	222,953	7	3.1	11	5.5
New Mexico	68,500	0	0.0	1	1.6
New York	526,321	25	4.7	28	5.4
North Carolina	355,089	30	8.4	35	10.2
North Dakota	42,372	1	2.4	3	6.8
Ohio	408,495	19	4.7	18	4.4
Oklahoma	227,242	16	7.0	12	5.3
Oregon	196,102	16	8.2	20	10.1
Pennsylvania	352,231	10	2.8	10	2.9
Puerto Rico	52,186	0	0.0	4	8.1
Rhode Island	36,364	3	8.2	4	11.3
South Carolina	412,845	18	4.4	28	7.1
South Dakota	49,648	2	4.0	1	2.1
Tennessee	312,000	19	6.1	11	3.5
Texas	629,640	54	8.6	57	9.1
Utah	77,171	5	6.5	8	10.8
Vermont	38,098	2	5.2	4	10.5
Virgin Islands	3,321	0	0.0	0	0.0
Virginia	238,536	21	8.8	20	8.5
Washington	265,000	31	11.7	22	8.3
West Virginia	67,373	3	4.5	7	10.4
Wisconsin	564,312	17	3.0	15	2.7
Wyoming	17,255	3	17.4	1	5.3
TOTALS	13,619,138	737	5.4	811	6.0

STATE & AGENCY REGULATION

[Table 1.4]

State	State Regulates Commercial Vessels	Agency Enforces Regulations on Commercial Vessels	State Regulates White Water Areas	Agency Regulates White Water Areas
Alabama	Yes	Yes	No	No
Alaska	Yes	Yes	Yes	Yes
American Samoa	n/a	n/a	n/a	n/a
Arizona	Yes	Yes	Yes	Yes
Arkansas	Yes	Yes	Yes	No
California	Yes	Yes	No	No
Canada (Ontario)	No	No	No	No
Colorado	Yes	Yes	Yes	Yes
Connecticut	Yes	Yes	No	No
Delaware	Yes	Yes	Yes	Yes
District of Columbia	n/a	n/a	n/a	No
Florida	Yes	Yes	No	No
Georgia	Yes	Yes	No	No
Guam	n/a	n/a	n/a	n/a
Hawaii	No	Yes	n/a	n/a
Idaho	Yes	No	Yes	No
Illinois	Yes	Yes	No	No
Indiana	Yes	Yes	n/a	n/a
Iowa	Yes	Yes	No	No
Kansas	Yes	Yes	n/a	No
Kentucky	Yes	Yes	Yes	Yes
Louisiana	No	Yes	Yes	Yes
Maine	Yes	Yes	Yes	Yes
Maryland	Yes	Yes	Yes	Yes
Massachusetts	Yes	Yes	Yes	Yes
Michigan	Yes	Yes	Yes	Yes
Minnesota	Yes	No	Yes	No
Mississippi	Yes	Yes	No	n/a
Missouri	Yes	Yes	No	No
Montana	Yes	Yes	No	No
N. Mariana Islands	Yes	Yes	n/a	n/a
Nebraska	Yes	Yes	No	No
Nevada	Yes	Yes	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes
New Jersey	Yes	No	Yes	No
New Mexico	Yes	Yes	No	No
New York	Yes	Yes	Yes	No
North Carolina	Yes	Yes	No	No
North Dakota	Yes	Yes	No	No
Ohio	Yes	Yes	No	No
Oklahoma	Yes	Yes	No	No
Oregon	No	Yes	Yes	Yes
Pennsylvania	Yes	Yes	Yes	Yes
Puerto Rico	Yes	Yes	No	No
Rhode Island	Yes	Yes	n/a	n/a
South Carolina	Yes	Yes	Yes	No
South Dakota	Yes	Yes	Yes	No
Tennessee	Yes	Yes	Yes	Yes
Texas	Yes	Yes	Yes	Yes
Utah	Yes	Yes	Yes	Yes
Vermont	No	No	Yes	No
Virgin Islands	Yes	Yes	n/a	n/a
Virginia	Yes	Yes	Yes	No
Washington	Yes	Yes	Yes	Yes
West Virginia	No	No	Yes	Yes
Wisconsin	Yes	Yes	Yes	Yes
Wyoming	No	Yes	Yes	No

DIVE TEAM & RECOVERY

[Table 1.5]

State	Agency Dive Team	Agency Responsible for Victim Recovery
Alabama	Yes	Local search and rescue squads
Alaska	No	Alaska State Troopers
American Samoa	No	Department of Public Safety, Fire Departments and EMS
Arizona	No	Local agencies
Arkansas	Yes	Any enforcement agency
California	No	Local marine patrols / search and rescue
Canada (Ontario)	Yes	Ontario Provincial Police
Colorado	No	County Sheriffs
Connecticut	No	Connecticut State Police, Dept. of Public Safety & local police
Delaware	No	Div. of Fish and Wildlife, Volunteer Fire Depts., USCG, State Police
District of Columbia	Yes	Metropolitan Police Department
Florida	No	Local municipalities
Georgia	No	Local jurisdiction and Department of Natural Resources
Guam	No	Guam Fire Department
Hawaii	Yes	Honolulu Fire Department
Idaho	No	County Sheriffs Office
Illinois	No	No single agency - responding agencies such as DNR, State Police
Indiana	Yes	First agency on the scene
Iowa	No	County sheriff
Kansas	No	Sheriff of jurisdiction, local EMS or dive team, conservation officers
Kentucky	No	Local Rescue Squads
Louisiana	Yes	Louisiana Department of Wildlife & Fisheries Enforcement
Maine	Yes	Maine Dept. of Inland Fisheries & Wildlife, Maine Marine Patrol
Maryland	Yes	Natural Resources Police
Massachusetts	No	Mass. State Police / various local agencies
Michigan	No	County Sheriffs Department
Minnesota	No	County Sheriffs Department
Mississippi	Yes	MS Dept. of Wildlife, Fisheries and Parks
Missouri	Yes	State Water Patrol
Montana	No	County Sheriff
N. Mariana Islands	Yes	Department of Public Safety
Nebraska	No	First responders
Nevada	No	County Sheriff
New Hampshire	No	Fish and Game Department
New Jersey	Yes	New Jersey State Police
New Mexico	No	New Mexico State Police
New York	No	State Police and County Sheriffs
North Carolina	No	Local Rescue units and law enforcement
North Dakota	Yes	County Sheriffs
Ohio	No	Local jurisdictions
Oklahoma	Yes	First responding agency
Oregon	No	Sheriff and/or State Police
Pennsylvania	No	Local fire and rescue units
Puerto Rico	Yes	State Police
Rhode Island	No	Local police / fire departments.
South Carolina	Yes	SC Department of Natural Resources and local rescue units
South Dakota	No	County sheriff
Tennessee	Yes	None specifically designated
Texas	No	Local agencies, Texas Parks and Wildlife can assist
Utah	No	County sheriff
Vermont	Yes	Vermont State Police, Marine Division
Virgin Islands	No	VI Police Department / Department of Natural Resources
Virginia	Yes	Local rescue squads / fire departments
Washington	No	Local government
West Virginia	No	Volunteer Fire Department or Dept. of Natural Resources
Wisconsin	Yes	Local sheriff
Wyoming	No	Sheriff's office

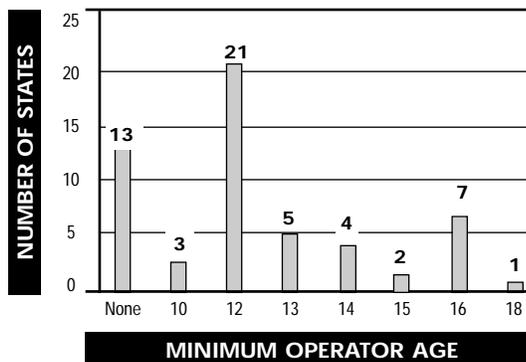
VESSEL OPERATION

Section 2 of the survey deals with vessel operation. It is divided into three sections: Operator Age, Education, and Water Skiing.

OPERATOR AGE

Forty-three states set a minimum age requirement for operating a motor-powered vessel, an increase of four states from last year's survey. The minimum age for those states requiring a minimum varies from age 10 to 18. The most common age requirement is 12 years of age (21 states). Illinois, New York and Wisconsin set the lowest age requirement at age 10, and American Samoa sets the highest age requirement at age 18. Thirty-four states require an adult to be on board when a minor is operating a motor vessel.

Thirty-two states require both a minimum age and an adult on board when a minor is operating a motor vessel. Of the 13 states that do not require a minimum operating age, 11 have no provision to require an adult to be on board when a minor is operating a vessel.



MINIMUM OPERATOR AGE

NUMBER OF STATES* THAT:	
Set minimum age for PWC	50
Set minimum age for motor powered vessel	43

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
 *Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

LICENSING AND BOATING EDUCATION

Boater licensing and education is becoming more prevalent, but it is still far from being mandated in most states. The 1988 Boating Safety Manual, produced by the U.S. Coast Guard, shows that no states mandated operator licensing or boating safety education. In 1996, four states required some type of licensing and 18 states mandated education. 1997 saw an increase to five states requiring some form of licensing and 22 states mandating education. By 1998, 27 states had some form of mandatory education on the books. In 1999, 33 states had mandatory safety education requirements and several others had legislation pending. The states requiring some type of boater licensing are Alabama, American Samoa, Connecticut, Indiana, and New Jersey. Twenty-two states require special boater education classes to operate a personal watercraft, up from 17 states requiring PWC education in 1997. Thirty-nine states certify minor boaters. Six and eight hour courses for certification are most common.

EDUCATION AND LICENSING

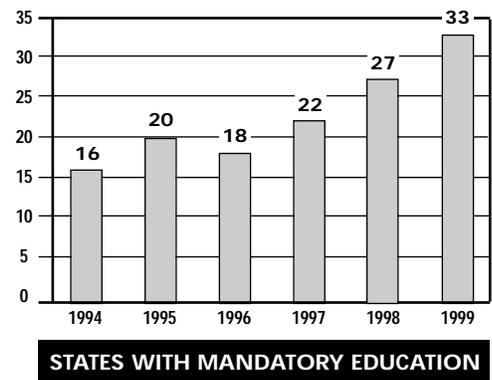
NUMBER OF STATES* THAT:

Offer boating education in public schools	41
Certify minor boaters	39
Require boating safety education	33
License dependent upon passing an exam	38
Require special education to operate personal watercraft	25
Require operator certification	5

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
Excludes Canada.

While more states require some type of education and licensing, even more states have initiated public education efforts. Forty-one states offer boating education in public schools. The total number of students certified in 1994 was 150,560. Michigan, Connecticut, New Jersey, and Pennsylvania certified the most students in 1994, accounting for over 60% of the nation's certified students. In 1995, there were 199,906 certified students; that number grew to 242,665 in 1996, which is a 38% growth rate over those three years. Certifications dropped in 1997; a total of 187,146 students were certified in 27 states. By 1998, however, the number of students certified skyrocketed to 336,150, almost double the amount certified in 1997. Alabama lead the nation with over 70,500 students certified in 1998. Michigan, Missouri and Florida also had significant numbers of students certified in 1998. These four states account for over 60% of the students certified that year. In 1999 there were 344,315 students certified across the nation. Alabama, Michigan and Florida once again led the way in student certification accounting for nearly 52% of the total number of certifications in 1999. The type of education varies among states but a sampling includes instruction by U.S. Coast Guard Auxiliary, U.S. Power Squadrons, Water Patrol and Fish & Game Agencies.



WATER SKIING

NUMBER OF STATES* THAT:

Require an observer or mirror when pulling a skier	56
Prohibit skiing from dusk to dawn	54
Require skier to wear a PFD	43
Prohibit self-propelled water skis	24
Require skier down flag	13

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
Excludes Canada.

WATER SKIING

Water skiing provides recreation for a great number of boaters. Every state and territory requires a minimum of one observer or mirror when towing a water skier. All states except Alaska and the Northern Mariana Islands prohibit water skiing during some time of the day. The period prohibited is usually dusk to dawn. Forty-three states require skiers to wear personal flotation devices. Tubing, kite sailing or parasailing, and self-propelled water skiing are other forms of boater recreation that have gained increased popularity in recent years. A few states have acted to restrict the practice of some of these activities, but generally states have not adopted specific laws for them. According to the survey, all states allow tubing and parasailing. Twenty-four states prohibit the use of self-propelled water skis, up from 17 states in 1998.

Several of the states surveyed listed other restrictions on water skiing. Thirteen states require the display by vessels of a skier down flag when a skier is in the water. Seven states specifically prohibit skiing while intoxicated. Other requirements of some states include boarding ladders on vessels, observers at least 12 years of age, mandatory use of personal flotation devices, and user restrictions on the length of ski rope.

OPERATION BY A MINOR [Table 2.1]

State	Minimum Operator Age	Adult Required When Minor is Operating a Vessel	Minimum PWC Operator Age	Adult Required When Minor is Operating PWC
Alabama	12	No	12	No
Alaska	None	No	None	No
American Samoa	18	Yes	None	Yes
Arizona	12	Yes	12	Yes
Arkansas	12	Yes	14	Yes
California	16	Yes, 12 - 15 years	16	Yes
Canada (Ontario)	Varies	Yes	16	n/a
Colorado	16	No	16	No
Connecticut	12	Yes	12	Yes
Delaware	None	No	14	Yes
District of Columbia	13	Yes	13	No
Florida	14	Yes	14	No
Georgia	12	Yes	12	Yes
Guam	None	No	16	No
Hawaii	None	No	15	No
Idaho	None	No	None	No
Illinois	10	Yes	None	Yes
Indiana	15	No	15	No
Iowa	12	Yes	12	Yes
Kansas	12	Yes	12	Yes
Kentucky	12	Yes	12	Yes
Louisiana	13	No	13	No
Maine	12	Yes	16	No
Maryland	None	No	16	No
Massachusetts	12	Yes	16	No
Michigan	12	Yes, for some vessels	14 (12 w/conditions)	Yes, 12 to 14
Minnesota	12	Yes	13	Yes
Mississippi	12	Yes	12	Yes
Missouri	14	Yes, under 14	14	Yes, under 14
Montana	13	Yes	12	Yes
N. Mariana Islands	None	No	None	No
Nebraska	14	No	14	No
Nevada	None	No	12	No
New Hampshire	16	Yes	16	No
New Jersey	16	No	16	No
New Mexico	13	Yes	13	Yes
New York	10 w/ cert.	Yes, unless cert.	10 w/ cert.	Yes, unless cert.
North Carolina	12	No	12 w/ed.; 16 w/o ed.	No
North Dakota	12	Yes	12	Yes
Ohio	12	Yes - if under 12	16	Yes - from 12 to 16
Oklahoma	None	No	12	No
Oregon	12	Yes	16	Yes
Pennsylvania	12	Yes	12	Yes
Puerto Rico	16	No	16	No
Rhode Island	None	No	under 16, ed. required	Yes
South Carolina	None	Yes	None	Yes
South Dakota	12	Yes	14	Yes
Tennessee	12	Yes	12	Yes
Texas	13	Yes	13	Yes
Utah	16	Yes	12 w/ed.; 18 w/o ed.	Yes
Vermont	12	No	16	No
Virgin Islands	None	Yes	18	Yes
Virginia	14	No	14 w/ boating course	No
Washington	None	No	14	No
West Virginia	15	Yes	15	Yes
Wisconsin	10	Yes	12	No
Wyoming	16	Yes	16	Yes

EDUCATION & LICENSING [Table 2.2]

State	Mandatory Safety Education	Mandatory Operator Licensing	Is License / Certificate Dependent on Passing Exam
Alabama	No	Yes	Yes
Alaska	No	No	No
American Samoa	Yes	Yes	No
Arizona	No	No	Yes
Arkansas	Yes	No	Yes
California	No	No	n/a
Canada (Ontario)	Yes	No	Yes
Colorado	Yes	No	Yes
Connecticut	Yes	Yes	Yes
Delaware	Yes	No	Yes
District of Columbia	Yes	No	Yes
Florida	Yes	No	Yes
Georgia	Yes	No	Yes
Guam	No	No	n/a
Hawaii	No	No	No
Idaho	Yes	No	Yes
Illinois	Yes	No	Yes
Indiana	Yes	Yes	Yes
Iowa	No	No	No
Kansas	Yes	No	Yes
Kentucky	Yes	No	Yes
Louisiana	No	No	Yes
Maine	No	No	n/a
Maryland	Yes	No	Yes
Massachusetts	Yes	No	Yes
Michigan	Yes	No	Yes
Minnesota	Yes	No	Yes
Mississippi	Yes	No	Yes
Missouri	No	No	No
Montana	No	No	Yes
N. Mariana Islands	No	No	n/a
Nebraska	Yes	No	Yes
Nevada	No	No	n/a
New Hampshire	Yes	No	Yes
New Jersey	Yes	Yes	Yes
New Mexico	No	No	n/a
New York	Yes	No	Yes
North Carolina	No	No	Yes
North Dakota	Yes	No	Yes
Ohio	Yes	No	Yes
Oklahoma	No	No	No
Oregon	Yes	No	Yes
Pennsylvania	Yes	No	Yes
Puerto Rico	Yes	No	Yes
Rhode Island	No	No	n/a
South Carolina	Yes	No	Yes
South Dakota	No	No	n/a
Tennessee	No	No	n/a
Texas	Yes	No	Yes
Utah	No	No	n/a
Vermont	Yes	No	Yes
Virgin Islands	No	No	Yes
Virginia	No	No	No
Washington	No	No	No
West Virginia	Yes	No	Yes
Wisconsin	Yes	No	Yes
Wyoming	No	No	No

CERTIFICATION OF MINORS [Table 2.3]

State	Certify Minor Boaters	Minimum Certification Age	Students Certified in 1999	Students Certified in 1998	Class hours Required for Certification
Alabama	No	12	104,000	70,522	8
Alaska	No	none	none	n/a	n/a
American Samoa	n/a	18	N/A	2,000	n/a
Arizona	No	12	N/A	750	8
Arkansas	Yes	none	N/A	417	6
California	No	none	n/a	n/a	n/a
Canada (Ontario)	No	12	n/a	n/a	n/a
Colorado	Yes	14	534	N/A	2
Connecticut	Yes	none	20,632	13,777	10/state; 8/private
Delaware	Yes	none	1,483	1,374	8
District of Columbia	Yes	13	N/A	248	8
Florida	Yes	none	30,000	34,444	8
Georgia	Yes	11 yr 9 months	unknown	n/a	6
Guam	No	n/a	n/a	n/a	n/a
Hawaii	No	n/a	n/a	n/a	n/a
Idaho	Yes	none	1,150	1,100	6
Illinois	Yes	12	3,000	3,260	8
Indiana	Yes	none	5,096	4,801	6
Iowa	Yes	12	681	1,200	6
Kansas	Yes	12	895	1,170	8
Kentucky	Yes	12	n/a	N/A	n/a
Louisiana	Yes	8	N/A	3,080	6
Maine	No	none	N/A	384	6
Maryland	n/a	none	6,144	6,282	8
Massachusetts	Yes	12	2,300	1,903	8
Michigan	Yes	12	46,872	52,395	6-8
Minnesota	Yes	12	6,424	6,348	n/a
Mississippi	Yes	12	3,021	4,229	6
Missouri	No	n/a	20,000	40,870	6
Montana	Yes	13	193	250	n/a
N. Mariana Islands	No	n/a	N/A	None	n/a
Nebraska	No	14	300	350	6
Nevada	Yes	none	199	473	n/a
New Hampshire	n/a	n/a	2,000	n/a	8
New Jersey	Yes	16	16,586	11,078	8
New Mexico	No	n/a	156	150	8
New York	Yes	10	5,000	5,700	8
North Carolina	Yes	12	2,287	2,729	6-8
North Dakota	Yes	12	1,050	1,835	4
Ohio	Yes	N/A	6,027	5,254	8
Oklahoma	No	n/a	0	n/a	n/a
Oregon	Yes	12	2,000	n/a	6
Pennsylvania	Yes	none	30,648	13,229	8
Puerto Rico	Yes	12	4,187	5,320	12
Rhode Island	Yes	none	N/A	1,327	14
South Carolina	Yes	none	N/A	10,350	6
South Dakota	Yes	12	563	409	6
Tennessee	Yes	none	786	350	None
Texas	Yes	13	5,000	15,000	6
Utah	No	n/a	n/a	n/a	n/a
Vermont	Yes	none	962	766	8
Virgin Islands	Yes	14	27	0	8
Virginia	Yes	none	6,786	3,218	8
Washington	No	n/a	n/a	n/a	n/a
West Virginia	Yes	none	n/a	n/a	6
Wisconsin	Yes	12	7,326	7808	8
Wyoming	No	n/a	n/a	N/A	n/a
TOTALS			344,315	336,150	

EDUCATION [Table 2.4]

State	Boating Education in Public Schools	Education Required to Operate PWC	If Yes, Which Age Groups
Alabama	Yes	No	n/a
Alaska	Yes	No	n/a
American Samoa	Yes	Yes	18 and under
Arizona	No	No	n/a
Arkansas	Yes	No	n/a
California	Yes	No	n/a
Canada (Ontario)	Yes	Yes	16 and over
Colorado	Yes	Yes	14 and 15 years old
Connecticut	Yes	Yes	All operators
Delaware	Yes	Yes	14
District of Columbia	No	Yes	All operators
Florida	Yes	Yes	n/a
Georgia	No	No	n/a
Guam	Yes	No	n/a
Hawaii	Yes	No	n/a
Idaho	Yes	Yes	All renters
Illinois	No	No	n/a
Indiana	Yes	No	n/a
Iowa	Yes	No	n/a
Kansas	No	Yes	12 to 15 years old
Kentucky	Yes	No	n/a
Louisiana	Yes	No	n/a
Maine	No	No	n/a
Maryland	Yes	No	n/a
Massachusetts	Yes	Yes	16 and 17 years old
Michigan	Yes	Yes	14 to 22 years old
Minnesota	Yes	Yes	13-17 need permit to solo
Mississippi	Yes	No	n/a
Missouri	Yes	No	n/a
Montana	No	No	n/a
N. Mariana Islands	Yes	No	n/a
Nebraska	Yes	Yes	Under 16
Nevada	Yes	No	n/a
New Hampshire	No	No	n/a
New Jersey	Yes	Yes	All operators
New Mexico	Yes	No	n/a
New York	No	Yes	10 to 23 years old
North Carolina	Yes	Yes	12 to 15 years old
North Dakota	Yes	No	n/a
Ohio	Yes	Yes	Born after 1/1/82
Oklahoma	Yes	No	n/a
Oregon	Yes	No	n/a
Pennsylvania	Yes	Yes	All operators
Puerto Rico	Yes	No	n/a
Rhode Island	No	Yes	Children less than 16
South Carolina	Yes	No	n/a
South Dakota	No	No	n/a
Tennessee	Some	Yes	First time renters
Texas	Yes	No	n/a
Utah	No	Yes	12 to 17 years old
Vermont	Yes	No	n/a
Virgin Islands	Yes	Yes	18 and under
Virginia	No	Yes	14 and 15 years old
Washington	Yes	No	n/a
West Virginia	No	Yes	All born after December 31, 1986
Wisconsin	Yes	Yes	12 to 15 years old
Wyoming	No	No	n/a

FUTURE EDUCATION PLANS [Table 2.5]

State	Future Plans for Boater Education
Alabama	Continue present initiatives
Alaska	State course under development; instructor training course developed in 2001
American Samoa	Teach a boating safety program in high school.
Arizona	Increase participation, especially by PWC users
Arkansas	Mandatory education on 01/01/01
California	Continued emphasis on voluntary boating safety education
Canada (Ontario)	N/A
Colorado	Expand mandatory boating safety education.
Connecticut	Introduce water and boating safety to school children K-5th grade via the AquaSmart programs
Delaware	Requiring a minimum age to operate a vessel
District of Columbia	N/A
Florida	Enhance boater education availability in all 67 counties; enhance boating education curricula and mediums
Georgia	Continue current courses
Guam	n/a
Hawaii	Develop a web site; expand boating safety education (grades K-9); outreach programs for recreational boaters.
Idaho	Mass communications, special events, expanded web-based information, new curricula for elementary education, research mandatory education administration and model legislation and develop environmental education materials
Illinois	Implementing an on-water PWC course.
Indiana	Provide additional Internet opportunities, update the "Indiana Boating Guide"
Iowa	Work more closely with USCG Auxiliary and US Power Squadrons; work on obtaining mandatory education
Kansas	N/A
Kentucky	N/A
Louisiana	N/A
Maine	N/A
Maryland	Increase PWC training; increase responsible boater information
Massachusetts	Mandatory education legislation
Michigan	Over 50,000 in NASBLA-approved course
Minnesota	Make information on boating and water safety available in foreign languages
Mississippi	N/A
Missouri	Support future education for mandatory education
Montana	N/A
N. Mariana Islands	Mandatory education.
Nebraska	Mandatory education for all boaters
Nevada	Legislative support for mandatory education
New Hampshire	January 1, 2002 mandatory education required for all boaters
New Jersey	Continue existing programs and add a marina outreach program
New Mexico	Continue to grow via web, TV and other marketing
New York	Continue to phase in the mandatory education requirements for PWC operators through 2004
North Carolina	N/A
North Dakota	N/A
Ohio	Continue MOU with USCGA and USPS; continue with inline programs and implementation of mandatory education
Oklahoma	Mandatory education for operators less than 18; home study; volunteer educators
Oregon	N/A
Pennsylvania	N/A
Puerto Rico	Public schools boating education
Rhode Island	Attempt to reach more students and attempt to make course available on line
South Carolina	Continue to offer as many classes as possible and improve the on-line class
South Dakota	N/A
Tennessee	N/A
Texas	N/A
Utah	Motorboat operator licensing with proctored test
Vermont	N/A
Virgin Islands	Mandatory education and operator licensing
Virginia	More classes, more students
Washington	Continue and expand existing programs
West Virginia	None at this time.
Wisconsin	Home study course with proctored exam; developing internet course
Wyoming	None at this time

WATER SKIING

[Table 2.6]

State	Require Observer When Skiing	Require Mirrors When Skiing	Skiing Prohibited at These Times
Alabama	Yes	No	1 hour after sunset to 1 hour before sunrise
Alaska	Yes	Yes	n/a
American Samoa	Yes	No	Sunset to sunrise
Arizona	Yes	No	Sunset to sunrise
Arkansas	Yes	Yes	1/2 hour after sunset until 1/2 hour before sunrise
California	Yes	No	Sunset to sunrise
Canada (Ontario)	Yes	No	1/2 hour after sunset until 1/2 hour before sunrise
Colorado	Yes	No	Sunset to sunrise
Connecticut	Yes	No	1/2 hour after sunset until sunrise
Delaware	Yes	No	Sunset to sunrise
District of Columbia	Yes	No	Sunset to sunrise
Florida	Yes	Yes	1/2 hour after sunset until 1/2 hour before sunrise
Georgia	Yes	Yes	Sunset to sunrise
Guam	Yes	Yes	Sunset to sunrise
Hawaii	Yes	Yes	Sunset to sunrise
Idaho	Yes	No	1 hour after sunset to 1 hour before sunrise
Illinois	Yes	No	Sunset to sunrise
Indiana	Yes	No	Times vary on a few small natural lakes
Iowa	Yes	No	1/2 hour after sunset until sunrise
Kansas	Yes	Yes	1 hour after sunset until 1 hour before sunrise
Kentucky	Yes	Yes	Sunset to sunrise
Louisiana	Yes	Yes	1 hour after sunset to sunrise
Maine	Yes	No	Sunset to sunrise
Maryland	Yes	No	Sunset to sunrise
Massachusetts	Yes	No	Sunset to sunrise
Michigan	Yes	No	1 hour after sunset until 1 hour before sunrise
Minnesota	Yes	Yes	1 hour after sunset until sunrise
Mississippi	Yes	No	Sunset to sunrise
Missouri	Yes	Yes	Sunset to sunrise
Montana	Yes	No	Sunset to sunrise
N. Mariana Islands	Yes	No	None
Nebraska	Yes	Yes	1/2 hour after sunset to 1/2 hour before sunrise
Nevada	Yes	No	Sunset to sunrise
New Hampshire	Yes	No	Times vary on certain bodies of water.
New Jersey	Yes	No	Sunset to sunrise and times of restricted visibility
New Mexico	Yes	Yes	1 hour after sunset to 1 hour before sunrise
New York	Yes	No	Sunset to sunrise
North Carolina	Yes	No	1 hour after sunset to 1 hour before sunrise
North Dakota	Yes	No	1 hour after sunset to 1 hour before sunrise
Ohio	Yes	No	Sunset to sunrise
Oklahoma	Yes	Yes	Sunset to sunrise and times of restricted visibility
Oregon	Yes	No	Sunset to sunrise
Pennsylvania	Yes	No	Sunset to sunrise
Puerto Rico	Yes	No	Sunset to sunrise
Rhode Island	Yes	No	1/2 hour after sunset to 1/2 hour before sunrise
South Carolina	Yes	Yes	Sunset to sunrise
South Dakota	Yes	Yes	1/2 hour after sunset to 1/2 hour before sunrise
Tennessee	Yes	Yes	Sunset to sunrise
Texas	Yes	Yes	1/2 hour after sunset to 1/2 hour before sunrise
Utah	Yes	No	Sunset to sunrise
Vermont	Yes	No	1/2 hour after sunset to 1/2 hour before sunrise
Virgin Islands	Yes	No	1/2 hour after sunset to 1/2 hour before sunrise
Virginia	Yes	No	1/2 hour after sunset to 1/2 hour before sunrise
Washington	Yes	No	1 hour after sunset to 1 hour before sunrise
West Virginia	Yes	Yes	Sunset to sunrise
Wisconsin	Yes	No	Sunset to sunrise
Wyoming	Yes	Yes	Sunset to sunrise

WATER SKIING

[Table 2.7]

State	Require Skier to Wear PFD	Allow Tubing	Require White Undersides	Allow Parasailing	Allow Self - Propelled Skis	Require Skier-Down Flag
Alabama	Yes	Yes	No	Yes	Yes	No
Alaska	Yes	Yes	No	Yes	Yes	No
American Samoa	Yes	N/A	n/a	n/a	n/a	n/a
Arizona	No	Yes	No	Yes	Yes	Yes
Arkansas	Yes	Yes	No	Yes	Yes	No
California	Yes	Yes	No	Yes	Yes	Yes
Canada (Ontario)	No	Yes	No	Yes	No	No
Colorado	Yes	Yes	No	Yes	No	Yes
Connecticut	Yes	Yes	No	Yes	No	No
Delaware	Yes	Yes	No	Yes	No	No
District of Columbia	Yes	Yes	No	Yes	Yes	No
Florida	Yes	Yes	No	Yes	Yes	No
Georgia	Yes	Yes	No	Yes	No	No
Guam	Yes	Yes	No	Yes	Yes	No
Hawaii	Yes	Yes	No	Yes	Yes	No
Idaho	No	Yes	No	Yes	No	Yes
Illinois	No	Yes	No	Yes	No	No
Indiana	No	Yes	No	Yes	No	No
Iowa	Yes	Yes	No	Yes	No	No
Kansas	Yes	Yes	No	Yes	No	No
Kentucky	Yes	Yes	No	Yes	Yes	No
Louisiana	No	Yes	No	Yes	Yes	No
Maine	Yes	Yes	No	Yes	Yes	No
Maryland	Yes	Yes	No	Yes	Yes	No
Massachusetts	Yes	Yes	No	Yes	Yes	No
Michigan	Yes, on PWC	Yes	No	Yes	Yes	No
Minnesota	No	Yes	No	Yes	Yes	No
Mississippi	No	Yes	No	Yes	n/a	No
Missouri	No	Yes	No	Yes	Yes	Yes
Montana	Yes	Yes	No	Yes	No	No
N. Mariana Islands	Yes	Yes	No	Yes	No	No
Nebraska	Yes	Yes	No	Yes	Yes	Yes
Nevada	Yes	Yes	No	Yes	No	Yes
New Hampshire	Yes	Yes	No	Yes	Yes	No
New Jersey	Yes	Yes	No	Yes	Yes	Yes
New Mexico	Yes	Yes	No	Yes	n/a	Yes
New York	No	Yes	No	Yes	Yes	No
North Carolina	Yes	Yes	No	Yes	Yes	No
North Dakota	Yes	Yes	No	Yes	No	No
Ohio	Yes	Yes	No	Yes	No	No
Oklahoma	Yes	Yes	No	Yes	Yes	No
Oregon	Yes, <13	Yes	No	Yes	No	Yes
Pennsylvania	Yes	Yes	No	Yes	No	No
Puerto Rico	Yes	Yes	No	Yes	n/a	No
Rhode Island	No	Yes	No	Yes	No	No
South Carolina	Yes	Yes	No	Yes	Yes	No
South Dakota	No	Yes	No	Yes	Yes	No
Tennessee	Yes	Yes	No	Yes	Yes	No
Texas	No	Yes	No	Yes	Yes	No
Utah	Yes	Yes	No	Yes	No	Yes
Vermont	Yes	Yes	No	Yes	No	No
Virgin Islands	Yes	Yes	No	Yes	Yes	No
Virginia	Yes	Yes	No	Yes	Yes	No
Washington	Yes	Yes	No	Yes	Yes	Yes
West Virginia	Yes	Yes	No	Yes	No	No
Wisconsin	No	Yes	No	Yes	Yes	No
Wyoming	Yes	Yes	No	Yes	Yes	Yes

WATER SKIING

[Table 2.8]

State	Describe Ski Restrictions
Alabama	Cannot ski under the influence of alcohol or drugs. Observer must be 12 or older.
Alaska	N/A
American Samoa	N/A
Arizona	N/A
Arkansas	Observer must be 12 or older.
California	Observer must be 12 or older.
Canada (Ontario)	Tow vessel must have capacity to carry skier.
Colorado	Motorized vessels in designated ski areas must travel in a clockwise direction.
Connecticut	Restricted in mooring and swim areas.
Delaware	PWC must be designed to carry two people; observer must be facing the skier; tow line cannot exceed 75 feet.
District of Columbia	N/A
Florida	Skiing prohibited while intoxicated; no inflatable PFDs.
Georgia	No skiing under the influence of alcohol or drugs.
Guam	N/A
Hawaii	Must have competent observer or mirror which permits the operator to see object being towed when that person is within the towboat wake on a 75 foot line.
Idaho	No wake within 100 feet of dock unless safely pulling a skier from the dock.
Illinois	Must have competent observer; must be 3 person PWC; cannot willfully endanger life, limb or property of others people
Indiana	N/A
Iowa	No skiing 1/2 hour after sunset to sunrise
Kansas	N/A
Kentucky	N/A
Louisiana	Must have 7x14 mirror or observer; observer must be 16 or older
Maine	N/A
Maryland	Operator & observer min. age 12; tow line max length is 75 feet; boat must be 100 feet from other boats, piers, etc.
Massachusetts	No towing behind a PWC
Michigan	All persons operating, riding on or being towed by a personal watercraft must wear a Type I,II or III PFD at all times.
Minnesota	Max 150 foot tow rope without permit
Mississippi	No skiing between sunset and sunrise. Observer must be above 10 years of age.
Missouri	Skiing while intoxicated prohibited; the vessel may not be maneuvered in a manner to allow the skier to collide.
Montana	Counterclockwise on certain waters
N. Mariana Islands	None
Nebraska	Some local/private lake regulations; ski ropes not in use must be stowed immediately aboard towing vessel.
Nevada	Operator must be 14 years old; observer must be 12 years old; tow vessel must have capacity for three or more persons; must have a 12" x 12" orange ski flag
New Hampshire	N/A
New Jersey	A 12" orange triangular pennant must be displayed 4 feet above the highest point of vessel during any skiing activity.
New Mexico	Prohibited within 150 feet of any vessel not engaged in the same activity, courtesy docks, shoreline or fishermen.
New York	Ski belts or PFDs are required on skiers on Lake George and Chautauqua Lake.
North Carolina	N/A
North Dakota	PFD exemptions are granted to performers engaged in a professional exhibit as authorized under a permit.
Ohio	Skiing is confined to "Open or Ski Zones" only on state park lakes.
Oklahoma	None
Oregon	Skiing under the influence is prohibited; Children 12 & under on water skis or biscuits must wear PFDs.
Pennsylvania	Some waters have limits on the number of skiers.
Puerto Rico	Prohibited on lakes; must have a minimum of one observer
Rhode Island	Must have observer over 12 yrs old and must have unobstructed view.
South Carolina	N/A
South Dakota	Observer or 160 degree, wide angle mirror required
Tennessee	Must have mirror or observer.
Texas	Must have 4"x 4" mirror or observer; observer must be 13 years of age or older.
Utah	Observer must be eight or older; must display skier down flag; boat capacity must be at least three.
Vermont	Boat must stay 200 feet from shore and skier must stay 100 feet from shore
Virgin Islands	Must have observer on tow vessel
Virginia	Skier must wear a PFD if no dedicated observer
Washington	Observer must be physically capable and mentally competent to observe skier and use skier down flag.
West Virginia	Prohibited while under the influence.
Wisconsin	Cannot operate a ski boat or water ski within 100 feet of PWC
Wyoming	N/A

VESSEL & EQUIPMENT REGULATIONS

Section 3 of the survey relates to Vessel & Equipment Regulations. A number of items were addressed including boat noise, lighting, marine sanitation devices and numbering and titling requirements.

BOAT NOISE

Thirty-one states have a maximum noise level for motor boats; 25 do not. The standard for maximum noise level ranges from 75 to 90 decibels. The standards used by most states are SAE J-2005 and SAE J-1970. Developed by the Society of Automotive Engineers, SAE J-2005 and SAE J-1970 are sound testing procedures that measure the decibel level of stationary and moving motorboats respectively. Using the SAE J-2005 (stationary test), most states set maximum noise levels at 86 to 90 decibels. When the SAE J-1970 (shoreline test) is used, the maximum noise level is commonly 75 decibels. The distance of measurement for most states is 50 feet. Depending on the state and the manufacture date of the motor, maximum noise levels may differ. The penalties for exceeding motor boat noise levels range from \$0 to \$1000.

Altering factory mufflers is a violation of the law in 30 states. Twenty of the 30 states that have muffler alteration laws also have maximum noise levels for motor boats.

MOTOR NOISE LEVELS

NUMBER OF STATES* THAT:

Set maximum noise level for motor boats	31
Prohibit altering factory mufflers	30
Allow local ordinances to govern boat noise	12

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

ANCHOR LIGHTING

For the most part, states have uniform anchor lighting requirements for boats. Only Indiana and Maryland do not require anchor lights. Additionally, 11 states do not specify which vessels must have anchor lights. The U.S. Coast Guard recommends that anchor lights be visible at a distance of two miles. Some states exempt vessels from displaying anchor lights when in special "anchorage areas."

ANCHOR LIGHTS

NUMBER OF STATES* THAT:

Require anchor lights	54
Specify which vessels must have anchor lights	45

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

MARINE SANITATION DEVICES

NUMBER OF STATES* THAT:

Prohibit Y-valve through hull discharge in waters of state jurisdiction	41
Require Y-valves to be locked in waters of state jurisdiction	30
Mandate marine sanitation devices (MSDs)	26

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

MARINE SANITATION DEVICES

Federal requirements published by the U.S. Coast Guard state that all recreational boats with installed toilet facilities must have an operable marine sanitation device on board. However, not all states mandate MSDs themselves. Twenty-six states mandate them, 30 do not. Forty-one states prohibit Y-valve through hull discharge in waters of state jurisdiction, while 15 states do not prohibit it. Thirty states require Y-valves to be closed in waters of state jurisdiction.

NUMBERING, TITLING & REGISTRATION

The U.S. Coast Guard requires motor-powered vessels to be registered in the state of principal operation. All states have a federally approved numbering system. During the registration process, the state issues a certificate of number to the vessel that must be carried on board when the vessel is in use. The number issued to the vessel appears on the certificate of number and must be painted or permanently attached to each side of the forward half of the vessel in block letters, at least 3 inches in height, contrasting in color with hull or background, and not displayed near other letters or numbers to avoid confusion. When a vessel moves to a new state of principal operation, the certificate of number is valid for no less than 60 days.

REGISTRATION AND TITLING

NUMBER OF STATES* THAT:

Require registration of motor powered vessels	56
Require titling of motor powered vessels	36
Require titling of outboard motors	7
Require registration of outboard motors	4

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

In accordance with federal requirements, all states require motor-powered vessels to be numbered. Thirty-six states require motor-powered vessels to be titled, 20 do not. Titling provides a record of legal ownership and is valuable if rightful ownership is contested. In addition to vessels, seven states require outboard motors to be titled. These are Missouri, Northern Mariana Islands, Ohio, Oklahoma, South Carolina, Texas, and Utah. Some states require all outboard motors be titled while others only require those over a certain horsepower to be titled. The penalties for not titling range from no fine to \$1000.

Registration and numbering provide states with an identification system for vessels, and detailed records of ownership. Four states currently require registration of outboard motors as well. These are Missouri, the Northern Mariana Islands, Oklahoma, and Rhode Island. The penalties for failing to register vessels varies from no fine to \$1000 fine and jail time depending on the circumstances. In general, the penalties for failing to register a vessel are more severe than penalties for failing to title a vessel.

With respect to non-powered vessels, 28 states require non-powered vessels to be registered and 24 states require non-powered vessels to be numbered. Sixteen states require titling for non-powered vessels. Ten states require registration and numbering, but not titling, for non-powered vessels. Virginia requires titling, but not registration and numbering, for non-powered sailboats in excess of 18 feet. Seven states require owners of non-powered vessels to pay a user fee.

Many states' titling authority requires an inspection by a law enforcement officer where discrepancies are apparent in hull identification numbers and bills of sale when a vessel or motor is sold and a title application is submitted. Thirty-eight states reported requiring an inspection under such circumstances.

NON-POWERED VESSELS

NUMBER OF STATES* THAT:

Require non-powered vessels to be numbered	28
Require non-powered vessels to be registered	24
Require non-powered vessels to be titled	16
Require owners of non-powered vessel to pay a user fee	7

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

BOAT NOISE

[Table 3.1]

State	Maximum Noise Level	Levels and Standard	Muffling Alteration Law
Alabama	Yes	86dB -Marine Police Standards	Yes
Alaska	No	n/a	No
American Samoa	Yes	Federal regulations enforced	N/A
Arizona	Yes	86dB SAE J1970	No
Arkansas	No	n/a	No
California	Yes	86 dB pre-Jan 1976; 84 dB pre-Jan 1978; 82 dB post-Jan 1978	No
Canada (Ontario)	No	n/a	n/a
Colorado	Yes	86Db(a) on the A scale	Yes
Connecticut	Yes	SAE J2005 90 dB(a) prior to 1/1/93; 88 dB(a) after 1/1/93. SAE J1970 75 dB(a)	Yes
Delaware	No	n/a	No
District of Columbia	No	n/a	Yes
Florida	Yes	90 dB(a) at 50 feet.	No
Georgia	No	n/a	Yes
Guam	No	n/a	No
Hawaii	No	n/a	No
Idaho	Yes	J1970 75dB(A), J2005 90dB(A) pre 11/1/95 & 88 dB(A) after	Yes
Illinois	Yes	SAE J 2005 90dB(a); J1970 75 dB(a)	No
Indiana	No	n/a	Yes
Iowa	Yes	86dB as measured on a scale at 50 feet minimum	No
Kansas	No	n/a	No
Kentucky	No	n/a	No
Louisiana	Yes	Must be adequately muffled	No
Maine	Yes	90 dB(a) stationary; 75 dB(a) operational	Yes
Maryland	Yes	90 dbA - SAE J2005	Yes
Massachusetts	Yes	Federal standards	Yes
Michigan	Yes	90 dB(a) SAE J-2005 or 75 dB(a) SAE J-1970	Yes
Minnesota	Yes	82 dB(a) at 50 feet post 1/1/82; 84 dB(a) pre 1/1/82	Yes
Mississippi	No	n/a	No
Missouri	Yes	86 dB at 50 feet or 90 dB at idle speed at 1 meter	Yes
Montana	Yes	SAE J-2005 - 86 dB	No
N. Mariana Islands	No	n/a	No
Nebraska	No	n/a	No
Nevada	Yes	86 dB(a) SAE-J34 - Model Act pending February 2001	No
New Hampshire	Yes	Manufactured before 1977, 86 dB(a) at 50 feet, Manufactured between '78 & '81, 84 dB(a), Manufactured after '81, 82 dB(a)	Yes
New Jersey	Yes	90dB(a)	Yes
New Mexico	Yes	Reasonable manner	Yes
New York	Yes	SAEJ1970 - 75 dB(a), SAEJ2005 - 90dB	Yes
North Carolina	No	n/a	Yes
North Dakota	No	n/a	No
Ohio	Yes	Effective 1/1/2000, 90 dB SAE J2005 (Stationary) 75 dB running	No
Oklahoma	n/a	n/a	Yes
Oregon	Yes	90 dBA J2005 < 1/1/93; 88 dBA > 1/1/93	No
Pennsylvania	Yes	SAE J-2005 88dB(a)	Yes
Puerto Rico	No	n/a	No
Rhode Island	No	Reasonable level	Yes
South Carolina	No	n/a	No
South Dakota	No	n/a	No
Tennessee	Yes	86 dB at 50 feet SAE J34	Yes
Texas	No	n/a	No
Utah	Yes	For boats 1993 or older, 90 dB(a); 1994 or newer, 88 dB(a)	Yes
Vermont	Yes	82 dB at 50 feet	Yes
Virgin Islands	No	n/a	Yes
Virginia	No	n/a	Yes
Washington	Yes	SAE J1970 75 dB(a); SAE J2005 90 dB pre 1/94; 88 dB post 1/94	Yes
West Virginia	No	n/a	Yes
Wisconsin	Yes	86 dB(a) J1970, J2005, J34a	Yes
Wyoming	No	n/a	Yes

ANCHOR LIGHTING

[Table 3.2]

State	Require Anchor Lights?	Specify Which Vessels Must Have Anchor Lights
Alabama	Yes	Yes
Alaska	Yes	Yes
American Samoa	Yes	Yes
Arizona	Yes	No
Arkansas	Yes	No
California	Yes	Yes
Canada (Ontario)	Yes	N/A
Colorado	Yes	Yes
Connecticut	Yes	Yes
Delaware	Yes	Yes
District of Columbia	Yes	No
Florida	Yes	Yes
Georgia	Yes	Yes
Guam	Yes	Yes
Hawaii	Yes	Yes
Idaho	Yes	Yes
Illinois	Yes	Yes
Indiana	No	No
Iowa	Yes	Yes
Kansas	Yes	Yes
Kentucky	Yes	No
Louisiana	Yes	Yes
Maine	Yes	No
Maryland	No	No
Massachusetts	Yes	Yes
Michigan	Yes	Yes - Great Lakes and connecting waters
Minnesota	Yes	Yes
Mississippi	Yes	Yes
Missouri	Yes	Yes
Montana	Yes	Yes
N. Mariana Islands	Yes	Yes
Nebraska	Yes	Yes
Nevada	Yes	Yes
New Hampshire	Yes	Yes
New Jersey	Yes	No
New Mexico	Yes	Yes
New York	Yes	Yes
North Carolina	Yes	No
North Dakota	Yes	Yes
Ohio	Yes	Yes
Oklahoma	Yes	Yes
Oregon	Yes	Yes
Pennsylvania	Yes	Yes
Puerto Rico	Yes	Yes
Rhode Island	Yes	No
South Carolina	Yes	Yes
South Dakota	Yes	No
Tennessee	Yes	Yes
Texas	Yes	Yes
Utah	Yes	Yes
Vermont	Yes	Yes
Virgin Islands	Yes	Yes
Virginia	Yes	Yes
Washington	Yes	Yes
West Virginia	Yes	Yes
Wisconsin	Yes	Yes
Wyoming	Yes	Yes

ANCHOR LIGHTING

[Table 3.3]

State	Description of Anchor Lighting Requirements
Alabama	All vessels that anchor are required to display 360 degree white lights.
Alaska	Same as Federal regulations
American Samoa	65 feet or less shall exhibit lights
Arizona	Steady white light visible from all sides for no less than two miles except when in an anchorage area
Arkansas	As prescribed in the USCG Inland Rules of Navigation, rule 30
California	33USC Section 2030, et.al. are incorporated by reference.
Canada (Ontario)	N/A
Colorado	Every vessel less than 20 meters must display one all around white light when at anchor.
Connecticut	Power driven and sailing vessels 7 to 20 meters - display light between sunset and sunrise. Vessels < 7 meters must display light only in narrow channel, fairway anchorage or where normal navigation occurs. Vessels < 20 meters need not display in special anchorage area as designated by U.S. Secretary of Transportation.
Delaware	Must comply with USCG regulations.
District of Columbia	When anchored between sunset and sunrise all vessels must display a 32 point anchor light
Florida	As prescribed in the USCG Inland Rules of Navigation, rule 30.
Georgia	Vessels at anchor (except at designated anchorages) shall display a 32 point white light during hours of darkness .
Guam	Same as international navigation rules.
Hawaii	Same as Federal regulations.
Idaho	Motorboats less than 65.6 feet shall display a white light showing over the arc of the horizon of 360 degrees
Illinois	Must comply with USCG regulations..
Indiana	Motorboats & sailboats over 22 feet must display white light aft when operating. Other boats must show a white light in time to prevent a collision.
Iowa	White light to show 360 degrees around the horizon.
Kansas	White light visible for at least one mile in all directions unless anchored in a designated site.
Kentucky	Must have 360 degree white light.
Louisiana	Any vessel at anchor shall exhibit a 360 degree white light visible from the highest part of the vessel.
Maine	Must have 360 degree white light.
Maryland	Same as Federal regulations.
Massachusetts	Same as Federal regulations.
Michigan	White light visible from any direction.
Minnesota	All around light displayed from sunset to sunrise unless at mooring buoy.
Mississippi	Power driven and sailing vessels at anchor must display an all around white light visible for two miles.
Missouri	All boats must display a 360 degree white light visible from sunset to sunrise.
Montana	A white light visible to approaching boats from any direction and displayed in the forepart of the boat.
N. Mariana Islands	All vessels must display anchor lights.
Nebraska	All vessels while at anchor shall display 360 degree white light except in designated anchorage areas.
Nevada	Same as Federal regulations.
New Hampshire	A bright white light aft to show all around the horizon, and higher than the white light forward visible from all sides and for two miles. All powered and non-powered vessels operating after sunset, except coastal vessels.
New Jersey	As prescribed in the USCG Inland Rules of Navigation.
New Mexico	360 degree white light to show around the horizon for 1 mile from 1 hour after sunset to 1 hour before sunrise.
New York	Vessels less than 150 feet, 360 degree white light visible one mile; more than 150 feet, two white lights, fore & aft.
North Carolina	Same as Federal regulations.
North Dakota	All vessels at anchor shall display a white light visible to a boat approaching from any direction except anchorage.
Ohio	Vessels less than 50 meters - all around white light. Vessels less than 7 meters are exempt when not anchored in or near a narrow channel, fairway, anchorage or where other vessels navigate.
Oklahoma	Same as Federal regulations.
Oregon	Same as Federal regulations.
Pennsylvania	Anchor lights are required whenever at anchor where other boats normally navigate.
Puerto Rico	Anchor lights required from sunset to sunrise
Rhode Island	A white light with a 360 degree arc.
South Carolina	Any boat anchored outside a designated mooring area.
South Dakota	All boats outside a designated anchorage must display an all around white light visible for 1 mile.
Tennessee	Same as Federal regulations.
Texas	A vessel when not at dock must exhibit at least one bright light, lantern, or flashlight from sunset to sunrise.
Utah	Vessels at anchor shall display an all around white light unless anchored in a designated mooring area.
Vermont	Same as Federal regulations.
Virgin Islands	Same as Federal regulations.
Virginia	Same as Federal regulations.
Washington	Same as Federal regulations.
West Virginia	Must display a 360 degree white light.
Wisconsin	From sunset to sunrise, one lamp aft showing a white light all around the horizon when more than 200 feet from shoreline or outside designated anchorages.
Wyoming	White light visible 360 degrees for 1 mile

MARINE SANITATION DEVICES [Table 3.4]

State	Mandate Marine Sanitation Devices	Prohibit Y-valve Through Hull Discharge	Require Y-valves to Be Locked
Alabama	No	Yes	No
Alaska	No	No	No
American Samoa	Yes	Yes	Yes
Arizona	No	No	No
Arkansas	No	Yes	Yes
California	No	Yes	Yes
Canada (Ontario)	Yes	Yes	Yes
Colorado	No	Yes	Yes
Connecticut	Yes	Yes	No
Delaware	No	Yes	Yes
District of Columbia	Yes	Yes	Yes
Florida	Yes	Yes	Yes
Georgia	No	Yes	Yes
Guam	No	No	No
Hawaii	Yes	Yes	Yes
Idaho	No	Yes	Yes
Illinois	No	Yes	Yes
Indiana	No	Yes	Yes
Iowa	No	Yes	No
Kansas	Yes	Yes	Yes
Kentucky	Yes	Yes	Yes
Louisiana	Yes - Federal law	Yes - Federal law	Yes - Federal law
Maine	Yes	No	No
Maryland	Yes	Yes	Yes
Massachusetts	No	Yes	No
Michigan	No	Yes	Yes
Minnesota	No	Yes	Yes
Mississippi	Yes	No	No
Missouri	Yes	Yes	n/a
Montana	Yes	No	No
N. Mariana Islands	No	n/a	n/a
Nebraska	Yes	Yes	Yes
Nevada	Yes	Yes	Yes
New Hampshire	Yes	Yes	n/a
New Jersey	No	Yes	Yes
New Mexico	Yes	Yes	Yes
New York	No	Yes	No
North Carolina	No	n/a	n/a
North Dakota	No	n/a	n/a
Ohio	No	Yes	No
Oklahoma	Yes	Yes	Yes
Oregon	No	No	No
Pennsylvania	Yes	No	Yes
Puerto Rico	Yes	Yes	Yes
Rhode Island	Yes	Yes	Yes
South Carolina	No	n/a	n/a
South Dakota	No	No	No
Tennessee	Yes	Yes	Yes
Texas	Yes	Yes	Yes
Utah	No	Yes	No
Vermont	No	Yes	No
Virgin Islands	Yes	Yes	Yes
Virginia	No	Yes	No
Washington	No	No	No
West Virginia	Yes	Yes	No
Wisconsin	Yes	Yes	Yes
Wyoming	No	N/A	N/A

MARINE SANITATION DEVICES

[Table 3.5]

State	Penalties for Misuse or Failure to Use MSD	Penalties for Illegal Dumping of MSD
Alabama	\$10 to \$100 fine	\$10 to \$100 fine
Alaska	n/a	n/a
American Samoa	\$1,000 fine	\$1,000 fine
Arizona	Class 3 misdemeanor- Maximum \$500 fine	Class 3 misdemeanor - Maximum \$500 fine
Arkansas	n/a	Minimum \$50 fine
California	Punishable under health and safety codes	Unknown
Canada (Ontario)	No set fine	No set fine
Colorado	n/a	Up to \$25,000 fine
Connecticut	\$60 to \$2,000 fine	Maximum \$2,000 fine
Delaware	\$250 to \$1,000 fine	\$250 to \$1,000 fine per offense
District of Columbia	\$300 fine / 10 days in jail	\$300 fine / 10 days in jail
Florida	\$50 fine	\$250 fine
Georgia	Maximum \$1,000 fine and/or 12 months	Maximum \$1,000 fine and/or 12 months
Guam	n/a	n/a
Hawaii	Coast Guard standards	\$50 to \$1,000 fine
Idaho	\$100 - \$300 and /or 6 months	\$100 - \$300 and /or 6 months
Illinois	N/A	\$75 to \$500 fine
Indiana	Class C infraction - max \$500 fine	Class C infraction - max \$500 fine
Iowa	n/a	Depends on the amount of discharge
Kansas	Misdemeanor	Misdemeanor
Kentucky	\$15 to \$100 fine + court costs	\$15 to \$100 fine + court costs
Louisiana	\$500 fine and/or 30 days - Federal law	\$500 fine and/or 30 days - Federal law
Maine	Misdemeanor, fine no more than \$1,000	Misdemeanor, fine no more than \$1,000
Maryland	\$2,000 civil penalty	Civil penalty not exceeding \$2,000
Massachusetts	n/a	Fine of not less than \$2,500 nor more than \$25,000
Michigan	90 days or \$500 fine or both	90 days or \$500 fine or both
Minnesota	Maximum \$1,000 fine and/or 90 days in jail	Maximum \$1,000 fine and/or 90 days in jail
Mississippi	MS Dept of Environmental Quality regulates	\$25 to \$2,250 fine
Missouri	Up to 1 year or \$1,000 fine	Up to 1 year or \$1,000 fine
Montana	\$120 fine	Minimum of \$120 fine
N. Mariana Islands	n/a	n/a
Nebraska	Class III misdemeanor	Class III misdemeanor
Nevada	\$50 to \$1,000 fine	Unlawful discharge \$300 criminal plus civil penalty \$250, up to \$2,000 + cleanup costs
New Hampshire	Subject to court action + administrative fines	Administrative fine not to exceed \$2,000 per violation
New Jersey	Up to \$6,000	Up to \$6,000
New Mexico	\$50 to \$500 fine + court costs	\$50 to \$500 fine + court costs
New York	Misuse, up to \$100 and/or 60 days	Maximum \$100 fine and/or 60 days
North Carolina	n/a	Max \$1,000 fine
North Dakota	Class 2 noncriminal offense	Class 2 noncriminal offense
Ohio	\$250 maximum, 30 days maximum	\$250 maximum, 30 days maximum
Oklahoma	\$200 to \$1,000 fine	\$200 to \$1,000 fine
Oregon	n/a	Regulated by the Dept. of Environmental Quality
Pennsylvania	\$50	\$250 - \$5,000 fine
Puerto Rico	Misdemeanor	Misdemeanor
Rhode Island	\$500 fine/1 year; 2nd offense \$1,000 fine/1 year	\$500 fine, 1 year or both; 2nd offense \$1,000 fine/1 year
South Carolina	n/a	n/a
South Dakota	n/a	\$1,000 fine and/or 1 year max
Tennessee	\$50 fine and/or 30 days + court costs	\$50 fine and/or 30 days + court costs
Texas	\$25 to \$500 fine	\$200 to \$2,000 fine or 180 days or both
Utah	Max \$1,000 and/or 6 months in jail	\$1,000 and/or 6 months in jail
Vermont	\$267.50 fine	Fines range from \$10 to \$25,000
Virgin Islands	Consistent with federal regulations	Maximum \$10,000 fine
Virginia	Class 1 misdemeanor	Class 1 misdemeanor
Washington	None -USCG regulations only	USCG regulations only
West Virginia	\$20 - \$300 fine	\$2,500 - \$25,000 fine
Wisconsin	\$178.40 1st offense; \$227.60 2nd offense	\$178.40 1st offense; \$227.60 2nd offense
Wyoming	n/a	n/a

NUMBERING & TITLING

[Table 3.6]

State	Titling Vessels Required	Titling Outboard Motors Required	Registration of Vessels Required	Registration of Outboard Motors Required
Alabama	No	No	Yes	No
Alaska	No	No	Yes	No
American Samoa	Yes	No	Yes	No
Arizona	No	No	Yes	No
Arkansas	No	No	Yes	No
California	Yes	No	Yes	No
Canada (Ontario)	No	No	Yes	No
Colorado	No	No	Yes	No
Connecticut	No	No	Yes	No
Delaware	No	No	Yes	No
District of Columbia	Yes	No	Yes	No
Florida	Yes	No	Yes	No
Georgia	No	No	Yes	No
Guam	Yes	No	Yes	No
Hawaii	No	No	Yes	No
Idaho	Yes	No	Yes	No
Illinois	Yes	No	Yes	No
Indiana	Yes	No	Yes	No
Iowa	Yes	No	Yes	No
Kansas	No	No	Yes	No
Kentucky	Yes	No	Yes	No
Louisiana	No	No	Yes	No
Maine	No	No	Yes	No
Maryland	Yes	No	Yes	No
Massachusetts	Yes	No	Yes	No
Michigan	Yes	No	Yes	No
Minnesota	Yes	No	Yes	No
Mississippi	No	No	Yes	No
Missouri	Yes	Yes	Yes	Yes
Montana	Yes	No	Yes	No
N. Mariana Islands	Yes	Yes	Yes	Yes
Nebraska	Yes	No	Yes	No
Nevada	Yes	No	Yes	No
New Hampshire	No	No	Yes	No
New Jersey	Yes	No	Yes	No
New Mexico	Yes	No	Yes	No
New York	Yes	No	Yes	No
North Carolina	No	No	Yes	No
North Dakota	No	No	Yes	No
Ohio	Yes	Yes	Yes	No
Oklahoma	Yes	Yes	Yes	Yes
Oregon	Yes	No	Yes	No
Pennsylvania	Yes	No	Yes	No
Puerto Rico	No	No	Yes	No
Rhode Island	Yes	No	Yes	Yes
South Carolina	Yes	Yes	Yes	No
South Dakota	Yes	No	Yes	No
Tennessee	No	No	Yes	No
Texas	Yes	Yes	Yes	No
Utah	Yes	Yes	Yes	No
Vermont	Yes	No	Yes	No
Virgin Islands	No	No	Yes	No
Virginia	Yes	No	Yes	No
Washington	Yes	No	Yes	No
West Virginia	Yes	No	Yes	No
Wisconsin	Yes	No	Yes	No
Wyoming	No	No	Yes	No

NUMBERING AND TITLING

[Table 3.7]

State	Penalties for Not Registering Vessel	Penalties for Not Titriling Vessel
Alabama	\$10 to \$100 fine	n/a
Alaska	\$50 state penalty	n/a
American Samoa	\$1,000 fine	\$1,000 fine
Arizona	\$500 maximum fine	n/a
Arkansas	\$100 - \$250	n/a
California	Late fees and possible tax lien.	Late fees
Canada (Ontario)	\$100 minimum fine	n/a
Colorado	\$25 fine	n/a
Connecticut	1st offense \$120 / 2nd offense \$220	n/a
Delaware	\$25 - \$500 fine or up to 10 days in jail	n/a
District of Columbia	\$50 fine	\$50 fine
Florida	\$500 fine / 30 days in jail max	\$500 fine / 30 days in jail max
Georgia	Max \$1,000 fine and/or 12 months	n/a
Guam	Guilty of a violation fine \$10 - \$50	Guilty of a violation fine of \$10 - \$50
Hawaii	Criminal misdemeanor	n/a
Idaho	\$300 maximum fine and/or 30 days jail	\$300 maximum fine and/or 30 days jail
Illinois	\$75 to \$500 fine	\$75 to \$500 fine
Indiana	Class C infraction, \$500 maximum	Class C misdemeanor, \$500 / 60 days max
Iowa	Misdemeanor fine of \$41	Misdemeanor fine \$41
Kansas	Citation	n/a
Kentucky	\$50 - \$250 fine + court costs	\$50 - \$250 fine + court costs
Louisiana	\$50 fine	n/a
Maine	\$1,000 fine max	n/a
Maryland	Maximum \$500 fine	Maximum \$500 fine
Massachusetts	\$50 fine max	1st offense - \$100 fine; 2nd - \$250 - \$500
Michigan	90 days, \$500 fine or both	90 days, \$500 fine or both
Minnesota	Up to \$1,000 fine or 90 days in jail	Up to \$1,000 fine or 90 days in jail
Mississippi	Misdemeanor - fine of not less than \$25 nor more than \$250	none
Missouri	Class B misdemeanor	Class B misdemeanor
Montana	\$70 fine	\$70 fine
N. Mariana Islands	Citation, fine and impoundment	Citation, fine and impoundment
Nebraska	Maximum \$500 fine	Maximum \$500 fine
Nevada	\$35 up to \$1,000	\$35 up to \$1,000
New Hampshire	Fines determined by the court	n/a
New Jersey	Maximum \$100 fine	Maximum \$100 fine
New Mexico	\$50 to \$500 fine + court costs	\$50 to \$500 fine + court costs
New York	\$100 fine	\$200 and/or 30 days
North Carolina	\$110 fine	None
North Dakota	\$25 noncriminal fine	n/a
Ohio	\$100 maximum	\$250 / 30 days to \$2,500 / 5 years max
Oklahoma	\$100 minimum fine and/or impoundment	\$100 minimum fine and/or impoundment
Oregon	\$99 minimum bail/Maximum fine \$175	None - cannot register without title
Pennsylvania	\$70 - \$90 fine	\$50 fine
Puerto Rico	Up to 4 times the registration fee	n/a
Rhode Island	\$100 fine	\$500 fine / 1 year in jail
South Carolina	\$50 to \$200 fine	\$50 to \$200 fine
South Dakota	Maximum \$100 fine and/or 30 days	Maximum \$100 fine and/or 30 days
Tennessee	Max \$50 fine and/or 30 days + court costs	n/a
Texas	\$100 to \$500 fine	\$25 to \$500 fine
Utah	Maximum \$1,000 and/or up to 6 months in jail	Maximum \$1,000 and/or up to 6 months
Vermont	\$42.50 fine	No set penalty
Virgin Islands	\$50 per violation	None
Virginia	Max \$250 fine	Max \$250 fine
Washington	\$190 fine	\$190 fine
West Virginia	\$20 to \$300 fine plus court costs and/or 10 to 100 days in jail	\$20 - \$300 fine
Wisconsin	\$125.90 fine	\$113.60 fine
Wyoming	\$60 fine	n/a

NUMBERING & TITLING [Table 3.8]

State	Require Non-powered Vessels Be Numbered	Require Non-powered Vessels Be Titled	Require Non-powered Vessels Be Registered
Alabama	Yes	No	Yes
Alaska	No	No	Yes
American Samoa	No	No	No
Arizona	No	No	No
Arkansas	No	No	No
California	Yes	Yes	Yes
Canada (Ontario)	No	No	No
Colorado	Yes	No	Yes
Connecticut	Yes	No	Yes
Delaware	No	No	No
District of Columbia	Yes	Yes	Yes
Florida	No	No	No
Georgia	Yes	No	Yes
Guam	Yes	Yes	Yes
Hawaii	No	No	No
Idaho	No	No	Yes
Illinois	Yes	Yes	Yes
Indiana	No	No	No
Iowa	Yes	Yes	Yes
Kansas	No	No	No
Kentucky	No	No	No
Louisiana	No	No	no
Maine	No	No	No
Maryland	No	No	No
Massachusetts	No	No	No
Michigan	Yes	No	Yes, but not all
Minnesota	Yes	Yes	Yes
Mississippi	Yes	No	Yes
Missouri	Yes	Yes	Yes
Montana	No	No	No
N. Mariana Islands	No	No	No
Nebraska	No	No	No
Nevada	No	No	No
New Hampshire	Yes	No	Yes
New Jersey	Yes	Yes	Yes
New Mexico	No	No	No
New York	No	No	No
North Carolina	No	No	Yes
North Dakota	No	No	No
Ohio	Yes	Yes	Yes
Oklahoma	Yes	Yes	Yes
Oregon	Yes	Yes	Yes
Pennsylvania	No	No	Yes
Puerto Rico	No	No	No
Rhode Island	Yes	Yes	Yes
South Carolina	No	No	No
South Dakota	Yes	Yes	Yes
Tennessee	No	No	No
Texas	Yes	Yes	Yes
Utah	Yes - sailboats	Yes - sailboats	Yes - sailboats
Vermont	No	No	No
Virgin Islands	Yes	n/a	Yes
Virginia	No	Yes	No
Washington	No	No	No
West Virginia	No	No	No
Wisconsin	Yes	No	Yes
Wyoming	No	No	No

NUMBERING & TITLING [Table 3.9]

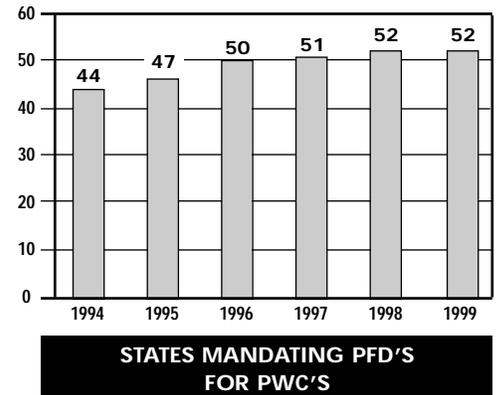
State	Require Inspection When Discrepancies are Apparent in HINs, Bills of Sale, and Title Application	Require User Fee for Non-powered Vessels
Alabama	Yes	No
Alaska	No	No
American Samoa	Yes	No
Arizona	Yes	No
Arkansas	No	No
California	Yes	No
Canada (Ontario)	No	No
Colorado	Yes	No
Connecticut	Yes	No
Delaware	Yes	Yes
District of Columbia	Yes	No
Florida	Yes	No
Georgia	n/a	No
Guam	Yes	No
Hawaii	n/a	No
Idaho	No	No
Illinois	No	No
Indiana	Yes	No
Iowa	No	No
Kansas	No	No
Kentucky	No	No
Louisiana	Yes	No
Maine	No	No
Maryland	No	No
Massachusetts	Yes	No
Michigan	Yes	No
Minnesota	Yes	Yes
Mississippi	Yes	No
Missouri	Yes	No
Montana	Yes	No
N. Mariana Islands	Yes	No
Nebraska	No	No
Nevada	Yes	No
New Hampshire	Yes	No
New Jersey	Yes	No
New Mexico	No	Yes
New York	Yes	No
North Carolina	No	No
North Dakota	No	No
Ohio	Yes	No
Oklahoma	Yes	Yes
Oregon	Yes	No
Pennsylvania	Yes	No
Puerto Rico	Yes	No
Rhode Island	Yes	No
South Carolina	Yes	No
South Dakota	Yes	Yes
Tennessee	Yes	No
Texas	Yes	No
Utah	Yes	No
Vermont	Yes	No
Virgin Islands	Yes	Yes
Virginia	Yes	No
Washington	No	Yes
West Virginia	Yes	No
Wisconsin	Yes	No
Wyoming	No	No

NUMBERING & TITLING (USER FEES) [Table 3.10]

State	List of Numbering, Titling, and Other User Fees
Alabama	n/a
Alaska	N/A
American Samoa	Too varied to list
Arizona	Tax
Arkansas	N/A
California	Varied
Canada (Ontario)	N/A
Colorado	n/a
Connecticut	N/A
Delaware	\$35 / year for ramp certificate. Required to use a state-maintained tidal boat ramp.
District of Columbia	N/A
Florida	N/A
Georgia	N/A
Guam	Registration fee of \$40 for 3 years
Hawaii	N/A
Idaho	Power and sailboats up to 12 feet \$13 plus \$2/foot over 12 feet; \$8 titling fee; some sites have entrance fee
Illinois	Registration and titling fees only
Indiana	n/a
Iowa	Registration fees only
Kansas	Three year registration fee \$15.50 for boats under 16 feet, \$18.50 for boats 16 feet and over.
Kentucky	N/A
Louisiana	n/a
Maine	n/a
Maryland	Registration fee \$24 2 year; titling fee \$2
Massachusetts	N/A
Michigan	Registration fee varies by type and length of vessel. Certificate of title \$5
Minnesota	\$7 for three years for non-powered craft
Mississippi	n/a
Missouri	N/A
Montana	N/A
N. Mariana Islands	N/A
Nebraska	Less than 16 ft \$16.75; 16 ft but less than 26 ft \$33.50; 26 ft but less than 40 ft \$50.25; 40 ft and over \$84.00 Dealers or manufacturers \$33.50. Titling fee \$10.
Nevada	Title fee \$15; Annual registration fees (includes 50% county personal property tax): Less than 13 ft. \$10; 13' to 18 ft. \$15; 18 to 22 ft. \$30; 22 to 26 ft.\$45; 26 to 31 ft. \$60; more than 31 ft. \$75.
New Hampshire	Too many to list.
New Jersey	Registration and titling fees; non title order operator licenses \$18 with mandatory photo
New Mexico	\$4/day
New York	Less than 16 feet \$9; 16 feet to less than 26 feet \$18; greater than 26 feet \$30. Three year fee.
North Carolina	n/a
North Dakota	N/A
Ohio	Titling Fee - \$5, Lien Fee - \$5. Hand Powered Only - \$12 Plus Writing Fee - \$3. All motor boats less than 16 feet - \$30. Boats 16 feet to 26 feet - \$45. Boats 26 feet to 40 feet - \$60. 40 to 65 feet - \$75; over 65 ft - \$90
Oklahoma	Based on value and age of boat and/or motor
Oregon	Boater pass required on Deschutes River; motorized permit required on Rogue River.
Pennsylvania	Unpowered boats \$5; <16 ft, \$10; 16 < 20 ft, \$15; >20 ft, \$20. Titles, \$15 each
Puerto Rico	Reg. fees - <16 ft, \$25; 16 < 22 ft, \$50; 22 < 30 ft, \$100; 30 < 40 ft, \$200; 40 < 65 ft, \$300; >65 ft, \$400
Rhode Island	n/a
South Carolina	N/A
South Dakota	\$10 one year / \$20 three years
Tennessee	N/A
Texas	All canoes, kayaks, punts, rowboats, rubber rafts or other vessels under 14 feet in length when paddled, poled or windblown are exempt from numbering provisions.
Utah	Motorboats and sailboats \$10.50/year registration fee, \$6 titling fee; \$6/year o/b motor title fee
Vermont	n/a
Virgin Islands	Non-commercial fees from \$25 to \$200; Commercial fees from \$37.50 to \$300
Virginia	Registration fees: \$18 for 3 years (less than 16 feet); \$22 for 3 years (16 feet - less than 20 feet) \$28 for 3 years (20 feet - less than 40 feet); \$36 for 3 years (40 feet and over); Titling fee \$7
Washington	Launch fee at state parks; annual fee for marine trail / camping use.
West Virginia	\$5 title fee; 3 year registration fees - motorboats (inc. PWCs) less than 16 feet - \$30; 16 feet to less than 26 feet - \$45; 26 feet to less than 40 feet - \$60; 40 feet and over - \$75. No Fee for motorboats less than 3 hp
Wisconsin	3 year registration fee - <16 ft, \$16.50; 16 ft - 26 ft, \$24; 26 ft - 40 ft, \$45; >40 ft, \$75. \$5 title fee
Wyoming	N/A

PERSONAL WATERCRAFT

Personal watercraft use has dramatically increased over the past several years. The vessel's maneuverability, speed, and limited protection can be a dangerous combination. States have responded by issuing minimum age requirements for PWC operation. Fifty states have a minimum age requirement and 33 states require an adult to be on board when a minor is operating a PWC, up from 27 states requiring an adult on board in 1995. Fifty-two states require PWC operators and passengers to wear personal flotation devices. Fifty states prohibit use of PWCs during some time of the day or night, as compared to 40 states prohibiting their use at some time of the day or night in 1995.



Personal watercraft are capable of reaching high speeds in short distances. Most states do not have a speed limit for personal watercraft. The number of states which have set a specific speed limit increased from six states in 1994 to 12 states in 1999. In other states, unsafe personal watercraft activity is deterred by enforcing "negligent operation" statutes. Thirty-eight states prohibit PWC operation in specific zones, up from 28 states in 1997. Forty-four states impose specific limitations on wake jumping with PWCs. Maine, Rhode Island and the Virgin Islands are the only states that prohibit wake jumping. Limitations range from activity that "unnecessarily endangers life, limb, or property" to no operation within 100 yards of another vessel. More common among states is a "no operation within 100 feet of another vessel" restriction on wake jumping. Alabama is unique as the only state that prohibits wake jumping of vessels traveling in the same direction as the PWC.

A safety feature on many personal watercraft is a lanyard or "kill switch" that automatically disengages the motor if an operator is displaced from the craft or if the craft is not upright. A PWC "kill switch" requirement is mandated in 42 states.

PERSONAL WATERCRAFT

NUMBER OF STATES* THAT:

Require operators and passengers to wear PFDs	52
Set a minimum age for PWC operation	51
Prohibit use during day or night	50
Impose limitations on wake jumping	44
Require a "kill switch"	42
Prohibit operation in any specific areas	38
Require adult to be on board when minor is operating a PWC	32
Set specific speed limitations	12

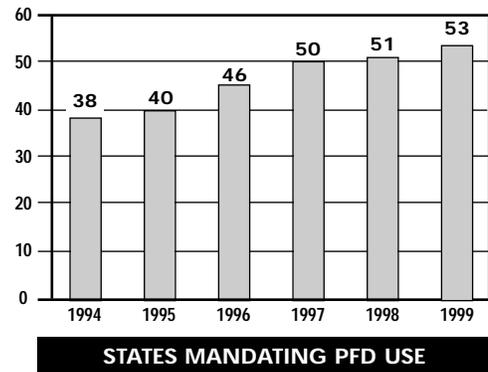
Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

PERSONAL FLOTATION DEVICES

Turning to the general wearing of personal flotation devices (PFDs), or life jackets as they are more commonly known, states are moving towards uniformity. Fifty-three states mandate the wearing of PFDs, up from 44 states mandating wear in 1996. Guam, Hawaii, and Idaho are the only states who do not mandate PFD wear. The circumstances of a PFD mandate vary among states. A common requirement is that children under age 12 must wear a PFD while on board a vessel. Other states mandate their use just when water skiing or operating a personal watercraft.

As of May 1, 1995 federal law stipulates that every vessel less than 16 feet in length must be equipped with one Type I, II, or III PFD for each person on board. Type IV PFDs — which are not intended to be worn, but thrown to an overboard passenger — **do not** meet the federal requirement. Type IV PFDs include buoyant cushions, ring buoys, and horseshoe buoys. Fifty-one states have changed their requirements on Type IV PFDs to be consistent with federal law. Penalties for violating PFD laws range from a \$25 fine to a \$1,000 fine and jail time for excessively repeating violations.



SAFETY EQUIPMENT

Federal law requires that vessels be equipped with specific safety devices. These include gas ventilation devices, flame arresters, fire extinguishers, visual distress signals, and sound producing devices. Most states did not report any difference in their law from federal requirements. The few that did report differences included requiring safety equipment for smaller vessels than federal law requires.

PERSONAL FLOTATION DEVICES

NUMBER OF STATES* THAT:

Conditionally mandate the wearing of PFDs	53
Have changed requirements on Type IV PFDs to be consistent with federal laws	51

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

PERSONAL WATERCRAFT [Table 3.11]

State	Minimum PWC Operator Age	Require Adult on Board when Minor is Operating PWC	Require PFD for PWC Operators & Passengers	Require PWC Education to Renters
Alabama	12	No	Yes	Yes
Alaska	None	No	Yes	No
American Samoa	None	Yes	Yes	No
Arizona	12	Yes	Yes	No
Arkansas	14	Yes	Yes	Yes
California	16	Yes	Yes	No
Canada (Ontario)	16	n/a	No	Yes
Colorado	16	No	Yes	Yes
Connecticut	12	Yes	Yes	No
Delaware	14	Yes	Yes	Yes
District of Columbia	13	No	Yes	No
Florida	14	No	Yes	Yes
Georgia	12	Yes	Yes	No
Guam	16	No	No	No
Hawaii	15	No	No	Yes
Idaho	None	No	No	Yes
Illinois	n/a	Yes	Yes	No
Indiana	15	No	Yes	No
Iowa	12	Yes	No	No
Kansas	12	Yes	Yes	No
Kentucky	12	Yes	Yes	No
Louisiana	13	No	Yes	No
Maine	16	No	Yes	Yes
Maryland	16	No	Yes	Yes
Massachusetts	16	No	Yes	Yes
Michigan	14	Yes	Yes	Yes
Minnesota	13	Yes	Yes	Yes
Mississippi	12	Yes	Yes	No
Missouri	14	Yes	Yes	No
Montana	12	Yes	Yes	No
N. Mariana Islands	None	No	Yes	Yes
Nebraska	14	No	Yes	No
Nevada	12	No	Yes	Yes
New Hampshire	16	No	Yes	Yes
New Jersey	16	No	Yes	Yes
New Mexico	13	Yes	Yes	No
New York	10 w/ed.; 24 w/o ed.	Yes	Yes	Yes
North Carolina	12 w/ed.; 16 w/o ed.	Yes w/o ed.	Yes	No
North Dakota	12	Yes	Yes	No
Ohio	16	Yes, between 12 and 16	Yes	Yes
Oklahoma	12	No	Yes	No
Oregon	16	Yes	Yes	Yes
Pennsylvania	12	Yes	Yes	Yes
Puerto Rico	16	No	Yes	Yes
Rhode Island	16	Yes	Yes	No
South Carolina	None	Yes	Yes	No
South Dakota	14	Yes	Yes	No
Tennessee	12	Yes	Yes	Yes
Texas	13	Yes	Yes	Yes
Utah	12 w/ed.; 18 w/o ed.	Yes	Yes	No
Vermont	16	No	Yes	No
Virgin Islands	18	Yes	Yes	No
Virginia	14 w/ boating class course	No	Yes	Yes
Washington	14	No	Yes	No
West Virginia	15	Yes	Yes	No
Wisconsin	12	No	Yes	Yes
Wyoming	16	Yes	Yes	No

PERSONAL WATERCRAFT [Table 3.12]

State	Prohibit PWC Use During These Times	Restrictions on PWCs Towing Skiers
Alabama	n/a	Must have 2 mirrors with 20 sq. inches combined viewing area
Alaska	n/a	n/a
American Samoa	Before sunrise and after sunset	None
Arizona	n/a	n/a
Arkansas	1/2 hr after sunset to 1/2 hr before sunrise	Observer required, PWC must accommodate operator, observer and anyone being towed.
California	1/2 hr after sunset to 1/2 hr before sunrise	PWC must be able to carry operator and an observer.
Canada (Ontario)	n/a	Must have 3 person capacity; must have an observer.
Colorado	1/2 hr after sunset to 1/2 hr before sunrise	Observer on board; must have red ski flag when skier or ski equipment is in the water
Connecticut	Between sunset and sunrise	Must have 3 person capacity, labeled by manufacturer to carry 3 people; must be 119" long x 46" wide, seat 39" min; hand hold
Delaware	Sunset to sunrise without nav lights	PWC must carry 2 passengers; observer must face skier
District of Columbia	Sunset to sunrise	Same as other vessels
Florida	1/2 hr after sunset until 1/2 hr before sunrise	Observer or wide angle mirror must be present
Georgia	Sunset to sunrise	Must have 3 person capacity, must have competent observer
Guam	Dusk to dawn	Same as any other boat pulling a skier
Hawaii	Whale season in some areas; dusk to dawn	Must have observer or mirror
Idaho	Sunset to Sunrise	Same as all vessels
Illinois	Sunset to sunrise	Must have 3 person capacity
Indiana	Sunset to sunrise	Minimum of 9 feet long, seat at least three people, observer
Iowa	n/a	Must have 3 person capacity
Kansas	Sunset to sunrise	No smaller than 2 person PWC; must have mirror or observer
Kentucky	Sunset to sunrise	Must have mirror or an observer 12 or older
Louisiana	Sunset to sunrise	Must have a competent observer
Maine	Sunset to sunrise	Must have an observer
Maryland	Sunset to sunrise	Must have 3 person capacity and be built to pull skier
Massachusetts	Sunset to sunrise	PWCs are completely prohibited from towing skiers
Michigan	One hour before sunset to 8 am	Same as all boats; must wear PFD at all times
Minnesota	One hour before sunset to 9:30 a.m.	Must have factory installed mirrors or observer
Mississippi	Sunset to sunrise if no running lights	Must have 3 person capacity; must have observer 10 or older
Missouri	Sunset to sunrise	Must have observer
Montana	Sunset to sunrise	Must have observer
N. Mariana Islands	Restricted Areas	Not permitted
Nebraska	1/2 hr after sunset to 1/2 hr before sunrise	Must have 3 person capacity; must include skier in capacity calculation
Nevada	n/a	Must have 3 person capacity; all water ski rules apply
New Hampshire	Sunset to sunrise	Must have an observer on board and a seat for the skier
New Jersey	Sunset to sunrise, restricted visibility	Must have adequate seating for all participants
New Mexico	1 hr after sunset to 1 hr before sunrise	Must have 3 person capacity w/ seat for skier; extra PFD for skier
New York	Sunset to sunrise	Must have 3 person capacity; observer facing backwards
North Carolina	Sunset to sunrise	Skier must wear PFD; must have mirror; cannot exceed capacity
North Dakota	Between sunset and sunrise	Must have observer aboard
Ohio	Sunset to sunrise	Same as all boats; observer must be at least 10 years old
Oklahoma	Sunset to sunrise unless equipped with lights	Rated for two people; efficient mirror or observer
Oregon	Appropriate lights required after dark	PWC must have capacity for operator, observer and skier(s)
Pennsylvania	Sunset to sunrise	Must have 3 person capacity and observer; one skier max
Puerto Rico	n/a	Observer required; must have space on board for skier
Rhode Island	1/2 hr after sunset to 1/2 hr before sunrise	Must have observer 12 or older; must have PFD
South Carolina	Sunset to sunrise	Must have an observer or wide angle mirror
South Dakota	Must display proper navigational lights	Must have an observer present or wide angle mirror
Tennessee	Sunset to sunrise	Must have 2.5 x 4 mirror on each side or observer
Texas	Sunset to sunrise	Must have mirror or observer
Utah	Sunset to sunrise	Must have 3 person capacity; all water ski rules apply
Vermont	1/2 hr after sunset to 1/2 hr before sunrise	Observer must be at least 12
Virgin Islands	1/2 hr after sunset to 1/2 hr before sunrise	May tow only if so designated by manuf.; rear facing observer
Virginia	Sunset to sunrise	Same as all boats; must comply w/ PWC passenger capacity
Washington	Sunset to sunrise	Observer required and must use skier down flag; PFD must be worn by skier.
West Virginia	Sunset to sunrise	Rear facing observer 12 or older
Wisconsin	Sunset to sunrise	Must be 100 feet away from other vessels; must be a 3 person PWC; observer required
Wyoming	Sunset to sunrise	Must have wide angle mirror / observer

PERSONAL WATERCRAFT

[Table 3.13]

State	PWC Specific Speed Limit	PWC Operation Restricted Zones
Alabama	No	None
Alaska	No	None
American Samoa	No	Swimming areas, boat mooring areas.
Arizona	No	None
Arkansas	Yes	None
California	No	Local municipalities have restricted operation in several areas
Canada (Ontario)	No	None
Colorado	No	Dependent on lake management plans
Connecticut	No	6 mph max within 200 ft of shore, dock, pier, float, or anchored vessel
Delaware	Yes	100 feet from docks, piers, boat ramps, etc; 300 feet from swimmers, ocean front
District of Columbia	No	None
Florida	No	No statewide zones - may be restricted by local ordinance
Georgia	No	Within 100 feet of people, structures, shoreline or moored or anchored vessels
Guam	No	Tumon and Pago Bays
Hawaii	No	Ocean Recreation Management areas; 500 feet offshore or edge of fringing reef
Idaho	No	Can be limited at local level through county ordinances
Illinois	No	None
Indiana	No	Idle speed within 200 feet from shore
Iowa	No	None, unless posted
Kansas	Yes	n/a
Kentucky	No	None
Louisiana	Yes	No wake zones, swimming areas safe speed
Maine	No	Banned on 245 waters classified by Maine Land Use Regulation Commission
Maryland	Yes	Less than 6 knots within 100 feet of shore, other vessels or people in the water
Massachusetts	No	Within 150 feet of a bathing area; 6 knots within 150 feet of other shorelines
Michigan	No	None
Minnesota	No	Slow/no wake within 150 feet of shore, swimmers, anchored boats, docks, etc.
Mississippi	No	Swimming zones
Missouri	No	None
Montana	No	No wake speed must be maintained when within 20 feet of a dock, swimmer, swimming raft, non-motorized boat or anchored vessel on a lake or a river.
N. Mariana Islands	Yes	5 mph within 500 feet of shore
Nebraska	No	None
Nevada	Yes	Flat wake within 5 lengths of longest vessel
New Hampshire	Yes	Bodies of water less than 75 acres, 2 person crafts only
New Jersey	No	Rental PWCs must stay within marked boundaries
New Mexico	No	None
New York	Yes	Within 500 ft of swim area
North Carolina	No	Operating at greater than slow no/wake speed within 100 feet of an anchored or moored vessel, shoreline, dock, pier, swim float, marked swim area, swimmer(s), surfers, persons engaged in angling or any manually operated propelled vessel
North Dakota	No	Anywhere all boats are prohibited
Ohio	No	None
Oklahoma	No	None
Oregon	Yes	200 ft behind waterskiers; speed & proximity to other vessels, structures and shore
Pennsylvania	No	National Park waters
Puerto Rico	No	Prohibited on lakes and Condado lagoon; 5 mph max within 150 feet of shore
Rhode Island	Yes	Headway speed 200 feet from shore, moored boats, swimmers and divers
South Carolina	No	None
South Dakota	Yes	Slow/no wake speed within 150 feet of dock, swimmer or non-motorized boat.
Tennessee	No	As applies to all vessels
Texas	No	Within 50 ft of another vessel, person, stationary platform or other object, or shore except at headway speed
Utah	No	150 foot speed and proximity required for all boats
Vermont	No	Most bodies of water under 300 acres
Virgin Islands	No	Areas designated restricted or prohibited
Virginia	No	PWC operation restricted to 50 ft from swimmers, boat ramps, docks, & non-PWCs
Washington	No	Local ordinances for no wake zones from 100 feet to 300 from shore. Banned on some county waters except for emergency use.
West Virginia	No	None
Wisconsin	Yes	Within 100 feet of any other boat / watercraft, 200 feet of any shoreline
Wyoming	No	Within 100 feet of drifting boats or boats underway

PERSONAL WATERCRAFT [Table 3.14]

State	PWC Wake Jumping Restrictions	Require PWC Kill Switch
Alabama	No wake jump of vessel traveling in same direction; No cutting between boat and person being towed or crossing at right angle in close proximity to stern of vessel	Yes
Alaska	None	No
American Samoa	None	Yes
Arizona	Cannot be within 60 feet of another vessel	Yes
Arkansas	Cannot be within 100 feet of another vessel or become airborne	Yes
California	No wake jumping within 100 feet of the stern of the vessel	Yes
Canada (Ontario)	None	No
Colorado	Becoming airborne or completely leaving the water while crossing the wake of another vessel at an unsafe distance or when visibility around such vessel is obstructed	Yes
Connecticut	Within 100 feet of vessel making wake	No
Delaware	Cannot jump wake of another vessel within 100 feet of the vessel	Yes
District of Columbia	Within 25 yards of another vessel	Yes
Florida	Those actions that would violate navigation rules	Yes
Georgia	Cannot jump wake of another vessel within 100 feet of the vessel	Yes
Guam	None	No
Hawaii	None	Yes
Idaho	Cannot become airborne or jump wake of another vessel at an unsafe distance	No
Illinois	Not unreasonably close so as to cause a hazard to another vessel	Yes
Indiana	Cannot jump the wake of another watercraft in a way that endangers human life, physical safety, or property. Officer discretion enforces standard.	Yes
Iowa	None	No
Kansas	May not unreasonably endanger life, limb or property. This includes jumping at an unsafe distance or weaving through traffic.	Yes
Kentucky	Where skiing is prohibited, wake jumping is prohibited. In areas where skiing is allowed, operators cannot jump the wake of a boat by getting unreasonably close.	Yes
Louisiana	No careless and reckless operation	Yes
Maine	No wake jumping or prolonged circling	No
Maryland	May not jump or attempt to jump wake within 100 feet of another vessel	Yes
Massachusetts	Unreasonable jumping the wake of another vessel is prohibited & deemed negligent	Yes
Michigan	Cannot jump within 150 feet of another vessel	Yes
Minnesota	Cannot jump within 150 feet of another vessel	Yes
Mississippi	None	No
Missouri	Cannot be airborne within 100 feet of back of vessel or when view is obstructed	Yes
Montana	Within 100 yards of a vessel or 100 yards of a water skier being towed	Yes
N. Mariana Islands	None	Yes
Nebraska	Not within 30 yards of another boat	Yes
Nevada	Must maintain flat wake within a zone equal to 5 lengths of longest vessel	No
New Hampshire	None	No
New Jersey	Cannot jump another vessel's wake within 100 feet of vessel	Yes
New Mexico	Within 150 feet of other vessel not engaged in the same activity	No
New York	Jumping the wake of another vessel unreasonably or unnecessarily close	No
North Carolina	Prohibited within 100 feet of another vessel	Yes
North Dakota	Prohibited within 100 feet of another vessel	Yes
Ohio	Must be at least 100 feet from another vessel to become airborne while crossing a wake	No
Oklahoma	Must remain 50 feet away from another vessel when traveling in excess of 10 mph	Yes
Oregon	Cannot jump wake unreasonably close to another boat	Yes
Pennsylvania	Must be 100 feet from another vessel to become airborne while crossing a wake	Yes
Puerto Rico	None	Yes
Rhode Island	Prohibited	Yes
South Carolina	None	Yes
South Dakota	None	No
Tennessee	Prohibited within 100 feet of vessel creating wake	Yes
Texas	Recklessly or unnecessarily close to another vessel	Yes
Utah	Must stay 150 feet away from other boats including PWCs	No
Vermont	None	Yes
Virgin Islands	Prohibited	Yes
Virginia	Reckless operation when jumping wake more closely than reasonable or prudent	Yes
Washington	No recklessly jumping wake unnecessarily close to another vessel	Yes
West Virginia	Reckless operation prohibited	Yes
Wisconsin	No wake jumping within 100 feet of another vessel	Yes
Wyoming	Prohibited within 100 feet of another vessel	Yes

PERSONAL FLOTATION DEVICES

[Table 3.15]

State	Mandate Wearing PFDs	Circumstances and Age Requirements
Alabama	Yes	Children under 8; within 800 feet below a hydroelectric dam or navigational lock
Alaska	Yes	Under 13 in an open boat or on open deck
American Samoa	Yes	All on board while boat is underway
Arizona	Yes	Ages 12 and under and PWC operators and passengers
Arkansas	Yes	Ages 12 and under; all PWC occupants
California	Yes	Under 7 years of age on vessels more than 26 feet, unless in an enclosed cabin
Canada (Ontario)	No	n/a
Colorado	Yes	Skiers, PWC operators and passengers, all persons aboard outfitters vessels
Connecticut	Yes	Under 12 when on deck and underway; PWC riders, skiers; canoeists - Oct 1 to May 31
Delaware	Yes	Children 12 and under; all PWC operators; skiers
District of Columbia	Yes	When the operator of a vessel is under 18, all others under 18 must wear PFDs.
Florida	Yes	Children under 6 on vessels under 26 feet while underway, all PWC operators, skiers
Georgia	Yes	Below age 10 in moving vessel, except when enclosed in cabin; PWC operators and passengers; skiers; in designated "hazardous area"
Guam	No	None
Hawaii	No	None
Idaho	No	None
Illinois	Yes	Children under 13; PWCs
Indiana	Yes	When operating, riding or being towed
Iowa	Yes	Skiers or others being towed
Kansas	Yes	12 and under; all on or towed by a PWC; anyone being towed or skiing
Kentucky	Yes	Everyone on PWCs or skiing and children under 12 while vessel is underway
Louisiana	Yes	Children under 13 on vessels less than 26 feet
Maine	Yes	10 years old and under; Skiers, PWC operators and passengers
Maryland	Yes	PWC operators and passengers; skiers; certain whitewater rivers at designated times
Massachusetts	Yes	Under 12; persons being towed, PWC users, canoeists/kayakers at designated times
Michigan	Yes	Under 6; PWC operators, riders & skiers
Minnesota	Yes	All riders and passengers on PWCs
Mississippi	Yes	12 yrs or younger in boats under 26 feet and when boats are underway
Missouri	Yes	Under age 7; PWC operators and passengers
Montana	Yes	Under 12 when vessel is in motion, skiers, all on PWCs
N. Mariana Islands	Yes	All operators and riders
Nebraska	Yes	Under 12 and all PWC occupants
Nevada	Yes	Water skiers and all PWC occupants
New Hampshire	Yes	Always
New Jersey	Yes	12 and under not in an enclosed cabin while underway; all PWC occupants
New Mexico	Yes	Required for all persons in PWCs, boat races, kayaks, canoes and rubber rafts
New York	Yes	Under 12 years of age on all boats less than 65 feet; all PWC occupants
North Carolina	Yes	All PWC occupants
North Dakota	Yes	All PWC occupants
Ohio	Yes	Children less than 10 on boats less than 18 feet; all PWC operators/passengers; skiers
Oklahoma	Yes	Under 13 when vessel is underway; skiers, PWC passengers/operators
Oregon	Yes	12 and under while underway; all PWC occupants
Pennsylvania	Yes	12 years of age and under; all PWC occupants, skiers, sailboards
Puerto Rico	Yes	Children under 12
Rhode Island	Yes	Under 10 on Class A vessels underway; all PWC occupants
South Carolina	Yes	Under 12 on Class A boats; all PWC occupants
South Dakota	Yes	All PWC occupants
Tennessee	Yes	12 and under; below dams in the areas marked and all PWC occupants
Texas	Yes	Under 13; all PWC occupants
Utah	Yes	12 and under; all PWC occupants and all boaters on rivers except in flat water areas
Vermont	Yes	Under age 12 while under way or on an open deck
Virgin Islands	Yes	Operators of PWCs, skiers, canoeists, kayakers, wind surfers, boat races
Virginia	Yes	All PWC occupants
Washington	Yes	Water skiers and all PWC occupants
West Virginia	Yes	All PWC occupants
Wisconsin	Yes	All PWC occupants
Wyoming	Yes	All PWC occupants

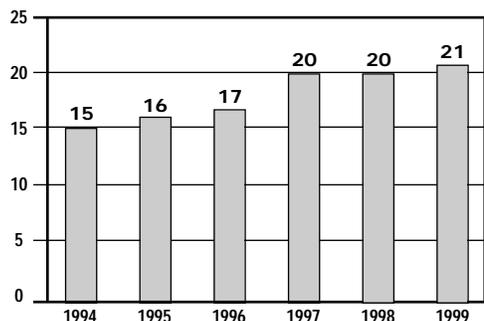
PERSONAL FLOTATION DEVICES

[Table 3.16]

State	Type IV PFD Requirements Consistent with Federal Law	Penalties for Violating PFD Regulations
Alabama	Yes	Not less than \$100 fine
Alaska	Yes	Maximum \$500 fine
American Samoa	Yes	\$1,000 fine
Arizona	Yes	Maximum \$500 fine
Arkansas	Yes	\$100 - \$250 fine
California	Yes	Maximum \$250 fine per violation
Canada (Ontario)	n/a	Minimum \$200 fine
Colorado	Yes	Minimum \$50 fine
Connecticut	Yes	\$60 mail-in fine
Delaware	Yes	Minimum \$25 fine
District of Columbia	Yes	\$25 fine
Florida	Yes	\$50 fine
Georgia	Yes	Maximum \$1,000 fine and/or 12 months in jail
Guam	No	Determined by the judge
Hawaii	Yes	Criminal misdemeanor
Idaho	Yes	Maximum \$300 fine and/or 30 days jail
Illinois	No	Petty offense, \$75 bond; maximum \$1,000 fine
Indiana	Yes	Class C infraction, \$500 maximum fine
Iowa	Yes	Misdemeanor fine of \$41
Kansas	Yes	Misdemeanor
Kentucky	Yes	\$50 - \$250 fine maximum
Louisiana	Yes	Class 1
Maine	Yes	\$50 fine plus \$20 for missing or unserviceable PFD
Maryland	Yes	\$500 fine
Massachusetts	Yes	\$50 fine
Michigan	No	Child under 6 = maximum \$100 fine; others 90 days or \$500 fine
Minnesota	Yes	Maximum \$1,000 fine and/or 90 days in jail effective 8/1/00
Mississippi	Yes	Maximum \$250 fine and/or 30 days
Missouri	No	Class B Misdemeanor
Montana	Yes	\$70 fine
N. Mariana Islands	Yes	Citation, fines
Nebraska	Yes	Maximum \$500 fine
Nevada	Yes	Starts at \$35 each PFD short up to \$1,000
New Hampshire	Yes	Maximum \$57.60 fine
New Jersey	Yes	Maximum \$100 fine
New Mexico	No	\$50 to \$500 fine
New York	Yes	\$25 - \$100 fine
North Carolina	Yes	\$110 fine
North Dakota	Yes	\$25 noncriminal fee
Ohio	Yes	\$250 maximum, 30 days maximum
Oklahoma	Yes	\$100 minimum
Oregon	Yes	Maximum \$175 fine
Pennsylvania	Yes	\$50 plus \$20 for each PFD missing or unserviceable
Puerto Rico	Yes	Misdemeanor
Rhode Island	Yes	\$100 fine per offense
South Carolina	Yes	\$50 to \$200 fine
South Dakota	Yes	Maximum \$200 fine and/or 30 days in jail
Tennessee	Yes	\$50 fine max and/or 30 days in jail
Texas	Yes	\$25 to \$500 fine per PFD
Utah	Yes	Maximum \$1,000 fine and/or maximum 6 months in jail
Vermont	Yes	\$37.50 fine
Virgin Islands	Yes	\$50 fine per violation
Virginia	Yes	Maximum \$250 fine
Washington	Yes	Infraction with \$66 fine
West Virginia	Yes	\$20 - \$300 fine
Wisconsin	Yes	\$113.60 fine
Wyoming	Yes	\$110 fine

LAW ENFORCEMENT

Section IV of the survey relates to law enforcement. Issues addressed include operating a vessel under the influence of an intoxicant and regulations for marine enforcement officers.



STATES WITH 0.08 BAC LIMITS

BOATING UNDER THE INFLUENCE

This section deals primarily with boating under the influence (BUI) laws. All states reported having boating under the influence laws. Blood alcohol concentration (BAC) levels range from .01 to .10 depending on the state. Thirty-four states now use .10 as the legal limit, and 21 states have adopted a .08 BAC levels to be consistent with their motor vehicle law. New Mexico is the only state with no set limit. Sixteen states have a zero tolerance level for minors; seven other states set a limit of .04 or lower for minors. The types of test procedures allowed in most states include breath, blood, and urine. Nine states allow only blood and breath tests. Eight states require sobriety tests to be conducted on shore.

If contested by the defendant, prosecution for violation of BUI laws can prove more difficult than driving under the influence prosecutions. States were asked if blood, breath, or urine tests were required for evidence in BUI cases. The answers were mixed. Thirty states reported that any one of the tests was required. Twenty-six states do not require any test for criminal evidence. The types of tests that states allow and require for evidence in prosecution are detailed in state tables at the end of this section.

When boaters operate a vessel in states where implied consent is the law, they agree to submit to a BUI test at the request of a law enforcement officer. Currently implied consent is the law in 43 states. In 51 states, a refusal to take an intoxication test can be used against a boater for criminal prosecution. Three states have added this condition since 1996.

BOATING UNDER THE INFLUENCE

NUMBER OF STATES* THAT:

Have BUI laws for vessels	56
Use refusal of BAC test as grounds for criminal prosecution	51
Set blood alcohol concentration level at .10	34
Set blood alcohol concentration level at .08	21
Set zero tolerance intoxication level for minors	16
Require sobriety test to be conducted on shore	8

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
Excludes Canada.

BOARDING VESSELS

NUMBER OF STATES* THAT:

Allow random safety inspections that include boarding	44
Allow random BUI inspections that include boarding	27
Require probable cause to stop a vessel	12
Require probable cause to board a vessel	13

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

States were asked how a conviction for BUI affected driving privileges. Forty-five states reported that BUI conviction has no bearing on a person's driving privilege. Eleven states have penalties similar to a driving under the influence conviction. Forty-one states utilize BUI saturation patrols; 33 utilize BUI checkpoints, up from 28 in 1997.

BOARDING VESSELS AND TOWING

When boarding a vessel, probable cause is required by 13 states. Forty-four states allow marine enforcement officers to randomly inspect vessels for safety. Only Mississippi prohibits marine enforcement officers from towing distressed vehicles. Fifty-two states (all but Florida, Maine, South Dakota and Virginia) allow citations for "negligent operation" of watercraft.

PORTABLE BOATING UNDER THE INFLUENCE ENFORCEMENT EQUIPMENT

Survey results show that 43 states allow the use of portable BUI enforcement equipment.

Thirty-eight states allow portable BUI enforcement equipment to be used for probable cause, and 18 states allow portable BUI enforcement equipment to be used for evidentiary purposes.

PORTABLE BUI EQUIPMENT

NUMBER OF STATES* THAT:

Allow the use of portable BUI Equipment	43
Allow portable BUI Equipment for probable cause	38
Allow portable BUI Equipment for evidentiary purposes	18

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

BOATING UNDER THE INFLUENCE

[Table 4.1]

State	Vessel BUI Laws	Blood Alcohol Concentration Intoxication Level	Zero Tolerance Level for Minor BUI Content	Implied Consent Law For Watercraft	Refusal of Test Can Be Used Against Boater
Alabama	Yes	0.10	No	Yes	Yes
Alaska	Yes	0.10	No	Yes	Yes
American Samoa	Yes	0.08	Yes	Yes	Yes
Arizona	Yes	0.10	Yes	Yes	Yes
Arkansas	Yes	0.10	No	Yes	Yes
California	Yes	0.08	Yes - 0.01	No	Yes
Canada (Ontario)	Yes	0.08	No	Yes	Yes
Colorado	Yes	0.10	No	Yes	Yes
Connecticut	Yes	0.10	No	No	Yes
Delaware	Yes	0.10	N/A	Yes	Yes
District of Columbia	Yes	0.10	No	Yes	Yes
Florida	Yes	0.08	No - 0.02	Yes	Yes
Georgia	Yes	0.08	Yes	Yes	Yes
Guam	Yes	0.08	Yes	Yes	Yes
Hawaii	Yes	0.08	No	Yes	Yes
Idaho	Yes	0.08	Yes - 0.02	Yes	Yes
Illinois	Yes	0.08	No	Yes	Yes
Indiana	Yes	0.10	No	Yes	Yes
Iowa	Yes	0.10	No	Yes	Yes
Kansas	Yes	0.08	Yes	Yes	Yes
Kentucky	Yes	0.08	No	Yes	Yes
Louisiana	Yes	0.10	No - 0.04	Yes	Yes
Maine	Yes	0.08	No	Yes	Yes
Maryland	Yes	0.10	No	No	Yes
Massachusetts	Yes	0.08	No	Yes	No
Michigan	Yes	0.10	No	Yes	Yes
Minnesota	Yes	0.10	No	Yes	Yes
Mississippi	Yes	0.10	Yes	Yes	Yes
Missouri	Yes	0.10	No	Yes	Yes
Montana	Yes	0.10	Yes	No	Yes
N. Mariana Islands	Yes	0.08	No	No	N/A
Nebraska	Yes	0.10	Yes	Yes	Yes
Nevada	Yes	0.10	No	Yes	Yes
New Hampshire	Yes	0.08	No	Yes	Yes
New Jersey	Yes	0.10	No	Yes	Yes
New Mexico	Yes	n/a	No	No	No
New York	Yes	0.10	Yes	No	Yes
North Carolina	Yes	0.08	No	No	Yes
North Dakota	Yes	0.10	Yes	Yes	Yes
Ohio	Yes	0.10	No - 0.02	Yes	Yes
Oklahoma	Yes	0.10	Yes	Yes	Yes
Oregon	Yes	0.08	No	Yes	Yes
Pennsylvania	Yes	0.10	No - 0.02	Yes	Yes
Puerto Rico	Yes	0.10	N/A	No	Yes
Rhode Island	Yes	0.10	No	Yes	Yes
South Carolina	Yes	0.10	No	Yes	Yes
South Dakota	Yes	0.10	No	No	Yes
Tennessee	Yes	0.10	No	Yes	Yes
Texas	Yes	0.08	No	Yes	Yes
Utah	Yes	0.08	Yes	Yes	Yes
Vermont	Yes	0.08	No - 0.02	Yes	Yes
Virgin Islands	Yes	0.10	No	Yes	Yes
Virginia	Yes	0.08	Yes	Yes	Yes
Washington	Yes	0.08	No	No	Yes
West Virginia	Yes	0.10	No	No	No
Wisconsin	Yes	0.10	Yes	Yes	Yes
Wyoming	Yes	0.10	No	No	No

BOATING UNDER THE INFLUENCE

[Table 4.2]

State	Allow the Following Tests:			Require the Following Tests for Criminal Evidence:		
	Blood	Breath	Urine	Blood	Breath	Urine
Alabama	Yes	Yes	Yes	No	No	No
Alaska	Yes	Yes	Yes	No	Yes	No
American Samoa	n/a	Yes	n/a	n/a	Yes	n/a
Arizona	Yes	Yes	Yes	No	No	No
Arkansas	Yes	Yes	No	Yes	Yes	No
California	Yes	Yes	Yes	Yes	Yes	Yes
Canada (Ontario)	Yes	Yes	No	Yes	Yes	No
Colorado	Yes	Yes	Yes	No	No	No
Connecticut	Yes	Yes	Yes	No	No	No
Delaware	Yes	Yes	Yes	No	No	No
District of Columbia	Yes	Yes	Yes	Yes	Yes	Yes
Florida	Yes	Yes	Yes	No	No	No
Georgia	Yes	Yes	Yes	Yes	Yes	Yes
Guam	Yes	Yes	Yes	No	No	No
Hawaii	Yes	Yes	No	Yes	Yes	No
Idaho	Yes	Yes	Yes	No	No	No
Illinois	Yes	Yes	Yes	No	No	No
Indiana	Yes	Yes	Yes	No	Yes	No
Iowa	Yes	Yes	Yes	Yes	Yes	Yes
Kansas	Yes	Yes	Yes	No	No	No
Kentucky	Yes	Yes	Yes	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes	No	No	No
Maine	Yes	Yes	Yes	Yes	Yes	Yes
Maryland	Yes	Yes	No	No	No	No
Massachusetts	Yes	Yes	Yes	No	No	No
Michigan	Yes	Yes	Yes	Yes	Yes	Yes
Minnesota	Yes	Yes	Yes	Yes	Yes	Yes
Mississippi	Yes	Yes	Yes	Yes	Yes	Yes
Missouri	Yes	Yes	No	No	No	No
Montana	Yes	Yes	Yes	Yes	Yes	Yes
N. Mariana Islands	Yes	Yes	Yes	Yes	Yes	Yes
Nebraska	Yes	Yes	Yes	Yes	Yes	Yes
Nevada	Yes	Yes	Yes	Yes	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes	N/A	N/A
New Jersey	Yes	Yes	Yes	No	Yes	No
New Mexico	Yes	Yes	No	No	No	No
New York	Yes	Yes	Yes	Yes	Yes	Yes
North Carolina	Yes	Yes	Yes	No	No	No
North Dakota	Yes	Yes	Yes	Yes	Yes	Yes
Ohio	Yes	Yes	Yes	No	No	No
Oklahoma	Yes	Yes	Yes	Yes	Yes	Yes
Oregon	Yes	Yes	Yes	No	No	No
Pennsylvania	Yes	Yes	Yes	No	No	No
Puerto Rico	Yes	Yes	No	Yes	Yes	No
Rhode Island	Yes	Yes	Yes	No	No	No
South Carolina	Yes	Yes	Yes	No	No	No
South Dakota	Yes	Yes	Yes	No	No	No
Tennessee	Yes	Yes	Yes	No	No	No
Texas	Yes	Yes	Yes	Yes	Yes	Yes
Utah	Yes	Yes	Yes	Yes	Yes	Yes
Vermont	Yes	Yes	No	Yes	Yes	No
Virgin Islands	Yes	Yes	Yes	Yes	Yes	Yes
Virginia	Yes	Yes	No	Yes	Yes	No
Washington	Yes	Yes	Yes	No	No	No
West Virginia	Yes	Yes	Yes	No	No	No
Wisconsin	Yes	Yes	Yes	Yes	Yes	Yes
Wyoming	Yes	Yes	Yes	No	No	No

BOATING UNDER THE INFLUENCE

[Table 4.3]

State	Shore Sobriety Test Required	Warrantless Arrest Provision	Random BUI Inspections that Include Boarding	Allow Citation for “Negligent Operation” of Vessels
Alabama	No	Yes	No	Yes
Alaska	No	Yes	No	Yes
American Samoa	Yes	Yes	Yes	Yes
Arizona	No	Yes	No	Yes
Arkansas	Yes	Yes	No	Yes
California	No	Yes	Yes	Yes
Canada (Ontario)	No	Yes	Yes	Yes
Colorado	No	Yes	Yes	Yes
Connecticut	No	Yes	No	Yes
Delaware	No	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes	Yes
Florida	No	Yes	Yes	No
Georgia	No	Yes	Yes	Yes
Guam	No	Yes	No	Yes
Hawaii	N/A	Yes	No	Yes
Idaho	No	Yes	No	Yes
Illinois	Yes	Yes	Yes	Yes
Indiana	No	Yes	No	Yes
Iowa	No	Yes	No	Yes
Kansas	No	Yes	Yes	Yes
Kentucky	No	Yes	No	Yes
Louisiana	No	Yes	No	Yes
Maine	No	Yes	No	No
Maryland	No	Yes	No	Yes
Massachusetts	No	Yes	Yes	Yes
Michigan	No	Yes	No	Yes
Minnesota	No	Yes	No	Yes
Mississippi	No	Yes	No	Yes
Missouri	No	Yes	No	Yes
Montana	No	Yes	Yes	Yes
N. Mariana Islands	Yes	Yes	Yes	Yes
Nebraska	No	Yes	No	Yes
Nevada	No	Yes	Yes	Yes
New Hampshire	No	Yes	No	Yes
New Jersey	No	Yes	No	Yes
New Mexico	No	Yes	Yes	Yes
New York	No	Yes	Yes	Yes
North Carolina	No	Yes	No	Yes
North Dakota	No	Yes	No	Yes
Ohio	No	Yes	No	Yes
Oklahoma	No	Yes	Yes	Yes
Oregon	No	Yes	Yes	Yes
Pennsylvania	No	Yes	No	Yes
Puerto Rico	No	Yes	No	Yes
Rhode Island	No	Yes	Yes	Yes
South Carolina	No	Yes	No	Yes
South Dakota	No	Yes	Yes	No
Tennessee	No	Yes	Yes	Yes
Texas	Yes	Yes	Yes	Yes
Utah	No	Yes	Yes	Yes
Vermont	Yes	Yes	Yes	Yes
Virgin Islands	Yes	Yes	Yes	Yes
Virginia	No	Yes	No	No
Washington	No	Yes	No	Yes
West Virginia	No	Yes	Yes	Yes
Wisconsin	No	Yes	Yes	Yes
Wyoming	No	Yes	No	Yes

BOATING UNDER THE INFLUENCE

[Table 4.4]

State	BUI Impact Driving?	If Yes, How?	BUI Saturation Patrols Utilized	BUI Checkpoints Utilized
Alabama	No	n/a	No	No
Alaska	Yes	Revocation of license	No	No
American Samoa	Yes	Revocation of motorboat license	Yes	Yes
Arizona	No	n/a	Yes	Yes
Arkansas	No	n/a	No	No
California	Yes	Vehicle license suspended upon conviction	No	Yes
Canada (Ontario)	No	n/a	Yes	Yes
Colorado	No	n/a	Yes	Yes
Connecticut	No	n/a	Yes	Yes
Delaware	No	n/a	Yes	Yes
District of Columbia	No	n/a	Yes	Yes
Florida	Yes	BUI are accumulated with DUI convictions for enhanced penalties	Yes	Yes
Georgia	No	n/a	Yes	Yes
Guam	No	n/a	No	No
Hawaii	No	n/a	No	No
Idaho	No	n/a	Yes	No
Illinois	No	n/a	Yes	Yes
Indiana	Yes	Mandatory suspension through BMV and judicial proceedings	Yes	No
Iowa	No	n/a	Yes	Yes
Kansas	No	n/a	Yes	Yes
Kentucky	No	n/a	Yes	Yes
Louisiana	Yes	It is the same law	Yes	No
Maine	No	n/a	Yes	Yes
Maryland	No	n/a	Yes	No
Massachusetts	Yes	May lose/suspend license. BUI and OUI are considered "like offenses"	Yes	No
Michigan	No	n/a	Yes	No
Minnesota	Yes	Could result in jail, fine, loss of driver's license or car license plates	Yes	No
Mississippi	No	n/a	Yes	Yes
Missouri	No	n/a	Yes	Yes
Montana	No	n/a	No	No
N. Mariana Islands	No	n/a	No	No
Nebraska	No	n/a	No	Yes
Nevada	No	n/a	Yes	Yes
New Hampshire	Yes	Loss of license for 90 days	Yes	No
New Jersey	Yes	3 month auto suspension	No	No
New Mexico	No	n/a	No	No
New York	No	n/a	Yes	No
North Carolina	No	n/a	No	No
North Dakota	No	n/a	Yes	Yes
Ohio	No	n/a	Yes	Yes
Oklahoma	No	n/a	Yes	Yes
Oregon	Yes	BUI accumulated w/ DUI for enhanced penalties	Yes	No
Pennsylvania	No	n/a	Yes	Yes
Puerto Rico	No	n/a	No	No
Rhode Island	No	n/a	Yes	No
South Carolina	No	n/a	Yes	Yes
South Dakota	No	n/a	Yes	Yes
Tennessee	No	n/a	Yes	Yes
Texas	No	n/a	Yes	Yes
Utah	No	n/a	Yes	Yes
Vermont	No	n/a	Yes	Yes
Virgin Islands	No	n/a	Yes	Yes
Virginia	No	n/a	Yes	Yes
Washington	No	n/a	No	No
West Virginia	No	n/a	Yes	Yes
Wisconsin	No	n/a	Yes	Yes
Wyoming	No	n/a	No	No

PORTABLE BOATING UNDER THE INFLUENCE ENFORCEMENT EQUIPMENT [Table 4.5]

State	Allow Use of Portable BUI Enforcement Equipment	Allow Portable BUI Enforcement Equipment for Probable Cause	Allow Portable BUI Enforcement Equipment for Evidentiary Purposes	Percentage of Officers with Access to Portable BUI Enforcement Equipment
Alabama	No	No	No	None
Alaska	Yes	Yes	No	unknown
American Samoa	Yes	Yes	Yes	50%
Arizona	Yes	No	Yes	25%
Arkansas	Yes	Yes	No	n/a
California	Yes	Yes	Yes	unknown
Canada (Ontario)	Yes	Yes	No	100%
Colorado	Yes	No	Yes	100%
Connecticut	Yes	Yes	No	10%
Delaware	Yes	Yes	Yes	100%
District of Columbia	No	Yes	No	100%
Florida	Yes	Yes	No	10%
Georgia	Yes	Yes	No	100%
Guam	Yes	Yes	Yes	100%
Hawaii	n/a	n/a	n/a	n/a
Idaho	Yes	Yes	Yes	15%
Illinois	Yes	Yes	Yes	100%
Indiana	Yes	Yes	No	100%
Iowa	Yes	Yes	No	20%
Kansas	Yes	Yes	Yes	50%
Kentucky	Yes	Yes	No	15%
Louisiana	No	No	No	Very few
Maine	Yes	No	No	n/a
Maryland	Yes	No	No	42%
Massachusetts	Yes	Yes	No	unknown
Michigan	Yes	Yes	Yes	100%
Minnesota	Yes	Yes	No	100%
Mississippi	Yes	Yes	No	100%
Missouri	Yes	Yes	No	100%
Montana	No	No	No	None
N. Mariana Islands	Yes	Yes	Yes	100%
Nebraska	Yes	Yes	Yes	98%
Nevada	Yes	Yes	No	100%
New Hampshire	No	No	No	None
New Jersey	No	No	No	None
New Mexico	No	No	No	None
New York	Yes	Yes	No	unknown
North Carolina	Yes	No	Yes	50%
North Dakota	No	No	No	n/a
Ohio	Yes	Yes	Yes	unknown
Oklahoma	No	No	No	unknown
Oregon	Yes	Yes	Yes	90%
Pennsylvania	Yes	Yes	No	20%
Puerto Rico	Yes	Yes	No	25%
Rhode Island	Yes	Yes	Yes	35%
South Carolina	No	No	No	None
South Dakota	Yes	Yes	No	100%
Tennessee	No	No	No	n/a
Texas	No	Yes	No	20%
Utah	Yes	Yes	No	100%
Vermont	Yes	Yes	No	99%
Virgin Islands	Yes	Yes	Yes	100%
Virginia	Yes	Yes	No	100%
Washington	Yes	No	No	30%
West Virginia	Yes	Yes	No	20%
Wisconsin	Yes	Yes	No	100%
Wyoming	Yes	No	Yes	100%

STOPPING, BOARDING and TOWING VESSELS [Table 4.6]

State	Probable Cause Required to Stop Vessels	Probable Cause Required to Board Vessels	Allow Random Safety Inspections Including Boarding	Officers Allowed to Tow Distressed Vessels
Alabama	No	No	No	Yes
Alaska	No	Yes	Yes	Yes
American Samoa	Yes	Yes	Yes	Yes
Arizona	No	No	Yes	Yes
Arkansas	No	No	Yes	Yes
California	Yes	Yes	Yes	Yes
Canada (Ontario)	No	No	Yes	Yes
Colorado	No	No	Yes	Yes
Connecticut	No	No	Yes	Yes
Delaware	No	No	Yes	Yes
District of Columbia	No	No	Yes	Yes
Florida	No	No	Yes	Yes
Georgia	No	No	Yes	Yes
Guam	No	No	Yes	Yes
Hawaii	No	No	Yes	Yes
Idaho	No	No	Yes	Yes
Illinois	No	No	Yes	Yes
Indiana	Yes	Yes	No	Yes
Iowa	No	No	No	Yes
Kansas	No	No	Yes	Yes
Kentucky	Yes	Yes	No	Yes
Louisiana	No	No	Yes	Yes
Maine	No	No	Yes	Yes
Maryland	Yes	Yes	No	Yes
Massachusetts	No	No	Yes	Yes
Michigan	No	Yes	No	Yes
Minnesota	No	Not allowed	No	Yes
Mississippi	No	No	Yes	No
Missouri	Yes	Yes	No	Yes
Montana	No	No	Yes	Yes
N. Mariana Islands	No	No	Yes	Yes
Nebraska	No	No	Yes	Yes
Nevada	No	No	Yes	Yes
New Hampshire	Yes	Yes	Yes	Yes
New Jersey	No	No	No	Yes
New Mexico	No	No	Yes	Yes
New York	Yes	Yes	Yes	Yes
North Carolina	No	No	Yes	Yes
North Dakota	No	No	Yes	Yes
Ohio	No	No	Yes	Yes
Oklahoma	No	No	Yes	Yes
Oregon	No	No	Yes	Yes
Pennsylvania	Yes	Yes	No	Yes
Puerto Rico	Yes	Yes	Yes	Yes
Rhode Island	No	No	Yes	Yes
South Carolina	No	No	Yes	Yes
South Dakota	No	No	Yes	Yes
Tennessee	No	No	Yes	Yes
Texas	No	No	Yes	Yes
Utah	No	No	Yes	Yes
Vermont	No	No	Yes	Yes
Virgin Islands	No	No	Yes	Yes
Virginia	Yes	No	No	Yes
Washington	No	No	Yes	Yes
West Virginia	No	No	Yes	Yes
Wisconsin	Yes	Yes	No	Yes
Wyoming	No	No	Yes	Yes

DEFINITIONS

Oftentimes, differences in definition can cause confusion in interpreting the law. As part of the survey, boating law administrators were asked to report their state’s definition of the following terms as written in statutes or regulations: *vessel*, *person*, *owner*, *marine dealer*, and *personal watercraft*.

Vessel is commonly defined as “every description of watercraft used or capable of being used as a means of transportation on water.” Other definitions specifically exclude seaplanes from the definition. Some states distinguish between commercial and non-commercial vessels in their definition and others exclude watercraft less than a certain size.

Most states define *person* as “an individual, partnership, firm, corporation, association, or other legal entity.” Other states have slight variations; a few include “agents” of persons in the definition. A few states responded that a person was a boater, operator, or “anyone.”

The most common state definition of *owner* is “a person, other than a lienholder, having the property in or title to a vessel. The term includes a person entitled to the use or possession of a vessel subject to an interest in another person, reserved or created by agreement and securing payment of performance of an obligation, but the term excludes a lessee under a lease not intended as security.” A few exceptions exist. Some states only include the first sentence of the preceding definition. A few states don’t define the term. At the heart of the definition for most states is legal title of the vessel.

Among states that have a written definition for *marine dealer*, the most common is very similar to “a person engaged in the business of manufacturing, selling or repairing new or used vessels having an established place of business for the sale, trade, display or repair of motorboats.” Variations include a minimum number of boats sold in a year.

State definitions of *personal watercraft* vary. A complete listing of personal watercraft definitions by state follows this section. Two states reported no definition or “not defined”. A typical definition for *personal watercraft* is “a motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.” The two elements of the definition include the motive powering mechanism and from what position the craft is operated. Some states only include one of the elements in the definition. Other agencies specify maximize length, size and minimum horsepower requirements.

PERSONAL WATERCRAFT DEFINITION

[Table 5.1]

State	Personal Watercraft
Alabama	A vessel which uses an inboard motor powering a water jet pump as it's primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on a vessel.
Alaska	Not defined.
American Samoa	See federal definition
Arizona	A watercraft that is less than 16 ft. long, powered by a water jet pump and designed to be operated by a person who sits, stands or kneels on, rather than sitting, standing, or kneeling inside the vehicle.
Arkansas	As stated in the Model Act
California	A vessel 13 feet or less, propelled by machinery, designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting or standing in the vessel.
Canada (Ontario)	A water jet driven vessel with an enclosed hull, no cockpit and a maximum length of four meters, that is designed to be used by one or more persons while straddling, sitting standing or kneeling.
Colorado	A motorboat that uses an inboard motor powering a water jet pump as its primary source of motive power and is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel. This includes "specially prop craft" which use an outboard motor.
Connecticut	Any inboard vessel less than 16 feet in length which has an internal combustion engine powering a water jet pump as its primary source of motor propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel.
Delaware	Any Class A inboard powered vessel as defined by the USCG which uses either an internal combustion engine powering a water jet pump or a propeller as its primary source propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel, or by a water skier via remote control, instead of the conventional manner of sitting or standing in the vessel.
District of Columbia	Not defined
Florida	A small Class A-1 or A-2 vessel which uses an outboard motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.
Georgia	A Class A vessel which: (A) Has an outboard motor or which has an inboard motor which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion; (B) Is designed with the concept that the operator and passenger ride on the outside surfaces of the vessel as opposed to riding inside the vessel; and (C) Has the probability that the operator and passenger may, in the normal course of use, fall overboard.
Guam	Any motorized vessel with the capacity to carry one or more person while in operation. The term includes but is not limited to a "JetSki", hydroplane, wet bike and surf-jet
Hawaii	Any motorized vessel that falls into the category of personal watercraft, and which: (1) Is generally less than thirteen feet in length as manufactured; (2) Is generally capable of exceeding a speed of 20 miles per hour; and (3) Can be operated by a single operator, but may have the capacity to carry passengers while in operation. (4) Is designed to provide similar operating performance as a personal watercraft through a combination of small size, power plant, and hull design. The term includes, but is not limited to a JetSki, waverunner, wet bike, surf jet, miniature speed boat, hovercraft, and every description of a vessel which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion, and is designed to be operated by a person or persons sitting, standing, or kneeling on, or being towed behind the vessel.
Idaho	A small vessel which uses an outboard motor or an inboard motor powering a jet pump as it's primary source of power and is designed to be operated by a person sitting, standing or kneeling on, rather than in the conventional manner of sitting or standing inside the vessel.
Illinois	A vessel that uses an inboard motor powering a water jet pump as its primary source of motor power and that is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional method of sitting or standing inside the vessel, and includes vessels that are similar in appearance or operation but are powered by an outboard or propeller drive motor.
Indiana	A watercraft whose primary source of motive power is an inboard motor powering a water jet pump; and that is designed to be operated by a person who sits, stands, or kneels on the surface of the watercraft rather than sitting or standing inside the watercraft.
Iowa	Same as vessel
Kansas	A vessel which uses an inboard motor powering a water jet pump as its primary source of propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting, standing or kneeling inside the vessel.
Kentucky	A vessel which uses an internal combustion engine to power a jet pump as its main source of propulsion and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of inside the vessel.
Louisiana	A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and is designed to be operated by a person sitting, standing or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.
Maine	Any motorized watercraft that is less than 14 feet or less in hull length as manufactured, has as its primary source of propulsion an inboard motor powering a jet pump and is capable of carrying one or more persons in a sitting, standing or kneeling position. "Personal watercraft" also includes, but is not limited to, a jet bike, wet bike, surf jet and miniature speedboat. "Personal watercraft" also includes motorized watercraft whose operation is controlled by a water skier.

PERSONAL WATERCRAFT DEFINITION

[Table 5.1] (continued)

State	Personal Watercraft
Maryland	Class A vessel which has an inboard motor which uses an internal combustion engine powering a water jet pump as its primary source of motive propulsion, is designed with the concept that the operators and passengers ride on the outside surfaces of the vessel as opposed to riding inside the vessel, has the probability that the operator and passengers may, in the normal course of use, fall overboard, and is designed with no open carrying area which would retain water.
Massachusetts	A vessel propelled by a water jet pump or other machinery as its primary source of motor propulsion and which is designed to be operated by persons sitting, standing or kneeling on the vessel, rather than being operated in the conventional manner by a person sitting or standing inside the vessel.
Michigan	A vessel that uses a motor-driven propeller or an internal combustion engine powering a water jet pump as its primary source of propulsion, is designed without an open load carrying area that would retain water, and is designed to be operated by one or more persons positioned on, rather than within, the confines of the hull.
Minnesota	A motorboat that is powered by an inboard motor powering a water jet pump or by an outboard or propeller-driven motor is designed to be operated by a person or persons sitting, standing, or kneeling on the craft, rather than in the conventional manner of sitting or standing inside a motorboat.
Mississippi	Class A vessel under 16 feet.
Missouri	A class of vessel which is less than 16 feet in length, propelled by machinery which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than being operated by a person sitting or standing inside.
Montana	A vessel that uses an outboard motor or an inboard engine powering a water jet pump as its primary source of propulsion and that is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than by the conventional method of sitting or standing in the vessel.
N. Mariana Islands	N/A
Nebraska	A class of inboard vessel less than 16 feet in length which uses an internal combustion engine powering a jet pump as its primary source of motive propulsion and is designed to be operated by a person sitting, standing, or kneeling on the vessel rather than in the conventional manner of boat operation.
Nevada	Class A vessel which is less than 13 feet in length, is designed to be operated by a person sitting, kneeling or standing on, rather than in, the motorboat, is capable of performing sharp turns or quick maneuvers and has a motor that exceeds 10 horsepower.
New Hampshire	Any motorized watercraft or private boat which is less than 13 ft in length as manufactured, is capable of exceeding a speed of 20 mph, and has the capacity to carry not more than the operator and one other person while operating.
New Jersey	Power vessel less than 16 feet in length operated from a sitting, standing or kneeling position with a water jet pump that cannot be disengaged.
New Mexico	Class A motorboat less than 16 feet in length designed to be operated by a person sitting, standing or kneeling on the vessel.
New York	A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on, or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.
North Carolina	A small vessel which uses an outboard or propeller driven motor, or an inboard motor powering a water jet pump, as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.
North Dakota	A motorboat that is powered by an inboard motor powering a water jet pump or by an inboard or outboard marine engine and which is designed to be operated by a person sitting, standing, or kneeling on the craft, rather than in the conventional manner of sitting or standing inside a motorboat.
Ohio	A vessel less than 16 feet in length that is propelled by machinery and designed to be operated by an individual sitting, standing or kneeling on the vessel rather than by the individual sitting or standing inside the vessel.
Oklahoma	A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel, or a vessel which is similar in appearance and operation to a PWC but which is powered by an outboard or propeller driven motor, or a vessel less than 16 feet in length which travels across the water above or on a cushion of air provided by engines, propellers or other means of propulsion.
Oregon	A motorboat, less than 16 feet, propelled by machinery which: (1) Uses an outboard motor or an inboard motor powering a water jet pump as its primary source of power. (2) Is designed to be operated by a person sitting, standing or kneeling on, rather than in the conventional manner of sitting or standing inside the vessel.
Pennsylvania	A boat of less than 16 feet in length which uses an internal combustion motor powering a water jet pump as its primary source of motive propulsion and is designed to be operated by a person sitting, standing or kneeling rather than in the conventional manner of boat operation.
Puerto Rico	Boats which are powered by an inboard engine and a jet pump, considered by USCG Class A inboard boat.
Rhode Island	A vessel which uses an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than the conventional manner of sitting or standing inside the vessel.
South Carolina	Class A motorboat
South Dakota	Any motorboat that has an inboard or outboard motor powering a water jet pump or caged propeller as its primary source of power and is designed to be operated by a person standing on, kneeling on, sitting astride or being towed behind the watercraft.

PERSONAL WATERCRAFT DEFINITION [Table 5.1] (continued)

State	Personal Watercraft
Tennessee	Personal watercraft means a vessel propelled by machinery which is designed to be operated by a person sitting, standing or kneeling on the vessel rather than being operated by a person sitting or standing inside the vessel.
Texas	A type of motorboat which is specifically designed to be operated by a person or persons sitting, standing, or kneeling on the vessel rather than in the conventional manner of sitting or standing inside the vessel.
Utah	A motorboat that is less than 16 feet in length, propelled by a water jet pump and designed to be operated by a person sitting, standing, or kneeling on the vessel, rather than sitting or standing inside the vessel
Vermont	A Class A vessel which uses an inboard engine powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on or being towed behind the vessel rather than in the conventional manner of sitting or standing inside the vessel.
Virgin Islands	An engine driven watercraft, usually driven by an inboard engine powering a water jet pump, capable of quick maneuverability and reaching speeds up to or in excess of 40 mph and upon which the driver and passenger sits, stands or kneels rather than in the conventional manner of sitting or standing inside the vessel.
Virginia	A watercraft less than 16 feet in length which uses an inboard motor powering a jet pump as its primary motive power and which is designed to be operated by a person sitting, standing or kneeling on, rather than in the conventional manner of sitting or standing inside the vessel.
Washington	A vessel of less than 16 feet that uses a motor powering a water jet pump as it's primary source of motive power and that is designed to be operated by a person sitting, standing or kneeling on, or being towed behind the vessel, rather than in the conventional manner of sitting or standing inside the vessel.
West Virginia	A small Class A vessel which uses an outboard or an inboard motor powering a water jet pump as its primary source of motive power and which is designed to be operated by a person sitting, standing, or kneeling on or being towed behind the vessel rather than the conventional manner of sitting or standing inside the vessel.
Wisconsin	A motorboat that uses an inboard motor powering a water jet pump or a caged propeller as its primary source of motive power and that is designed to be operated by a person standing on, kneeling on or sitting astride the watercraft.
Wyoming	Any inboard powered vessel less than 16 feet in length which has an internal combustion engine powering a water jet pump as its primary source of motor propulsion and which is designed to be operated by a person sitting, standing or kneeling on the vessel, rather than the conventional manner of sitting or standing inside the vessel.

MARINE LAW ENFORCEMENT POLICY

Section 6 of the survey deals with Marine Law Enforcement policy. The question asked was “Do you have a written, formal marine law enforcement policy, operational procedure, or executive order on ____” which covered 31 subject areas. These 31 policy questions are categorized into the following groups: Transportation & Pursuit, Officer Safety, Officer Aid, Agency Interaction & Investigation, Officer Responsibilities, Officer Training, and Other Agency Policies. Although many agencies reported that there was no formal, written policy covering a specific topic, there was either a local policy or work underway to create a formal policy. California reported that due to decentralization, no formal statewide policies exist as to specific boating laws, but general law enforcement standards are imposed statewide for all peace

officers including those engaged in marine law enforcement. Idaho also has no statewide policies.

TRANSPORTATION & PURSUIT

AGENCIES WITH POLICY COVERING:

Transporting suspects	41
Transporting guests	37
Transporting accident victims	11
On-water pursuit	27
Interstate on-water pursuit	20

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

TRANSPORTATION & PURSUIT

Forty-one agencies reported that a policy exists covering the transportation of suspects; 37 agencies have a policy covering the transportation of guests. Alabama, American Samoa, Connecticut, Delaware, the District of Columbia, Florida, Indiana, New York, the Northern Mariana Islands, Utah and the Virgin Islands are the only states

which currently have a policy on the transportation of accident victims. Policies covering on-water pursuit are in effect for 27 agencies and interstate on-water pursuit is covered by formal policy for 20 agencies.

OFFICER SAFETY

While officer safety remains a high priority, few agencies have a formal policy covering health topics including skin care safety, back safety and hearing safety. Many agencies reported that even though there may not be a formal policy on these topics, instruction is routinely given to officers in all three areas. Currently, 38 agencies have a policy in effect which requires officers to use a personal flotation device when on the water, up from 35 states with a PFD policy

OFFICER SAFETY

AGENCIES WITH POLICY COVERING:

Officer use of PFDs	38
Officer hearing safety	17
Officer back safety	12
Officer skin care safety	11

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

in 1998. Only Alabama, American Samoa, and Puerto Rico have policies regarding all four safety issues.

OFFICER AID

Forty-one agencies reported having a Good Samaritan Law, up from 37 in 1998. Search and Rescue is covered by policy in 26 agencies, while the use of first aid is covered in 27 agencies. Twenty-five agencies have a policy on being the first responder at an accident, and 26 agencies have policy governing the towing of distressed vehicles.

OFFICER AID

AGENCIES WITH POLICY COVERING:

Good Samaritan law	41
Use of first aid	27
Search and Rescue	26
Towing distressed vehicles	26
Being first responder at an accident	25

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

AGENCY INTERACTION AND INVESTIGATION

Interaction between local, state and federal agencies is covered by policy in many states. Interaction with federal agencies is covered by policy in 32 state agencies; interaction with other state agencies is covered by policy in 27 agencies, and interaction with local agencies is covered by policy in 30 agencies. There are 25 agencies that have a policy for all three interaction categories.

Twenty-five agencies have a policy concerning investigation of theft, while 18 have a policy on the investigation of fraud. All agencies with a policy governing fraud also have a policy governing investigation of theft.

OFFICER RESPONSIBILITIES

Seven state agencies have no policy on substance abuse. Forty-one agencies have policies governing outside employment and 34 agencies have policies on off-duty responsibilities.

AGENCY INTERACTION & INVESTIGATION

OFFICER TRAINING

Policy for firearms training exists in 51 states; California, Guam, Idaho, Oregon, and Washington are the only states without a firearms training policy. Boating law enforcement is decentralized in the five Western states. Forty-seven states have an in-service training policy.

AGENCIES WITH POLICY COVERING:

Interaction with Federal agencies	32
Interaction with other State agencies	27
Interaction with Local agencies	30
Investigation of theft	25
Investigation of fraud	18

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

AGENCY POLICIES

Use of deadly force is governed in 48 agencies; use of volunteers is governed in 35 agencies; use of BUI checkpoints is governed in 21 agencies. Policies which cover carrying emergency equipment exist in 25 agencies. Few agencies have policies concerning on-water patrol time (13 agencies) and working a percentage of time at night (6 agencies).

OFFICER RESPONSIBILITIES

AGENCIES WITH POLICY COVERING:

Substance abuse	49
Outside employment	41
Off-duty responsibilities	34

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

OFFICER TRAINING

AGENCIES WITH POLICY COVERING:

Firearms training	51
Firearms training re-certification	50
In-service training	47

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

AGENCY POLICIES

AGENCIES WITH POLICY COVERING:

Use of deadly force	48
Use of volunteers	35
Carrying emergency equipment	25
Use of BUI checkpoints	21
On-water patrol time	13
Working a percentage of time at night	6

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000
*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands. Excludes Canada.

TRANSPORTATION & PURSUIT POLICIES

[Table 6.1]

State	On-water Pursuit	Interstate On-water Pursuit	Transporting Suspects	Transporting Accident Victims	Transporting Guests
Alabama	No	Yes	Yes	Yes	Yes
Alaska	Yes	No	Yes	No	Yes
American Samoa	Yes	Yes	Yes	Yes	Yes
Arizona	Yes	Yes	Yes	No	Yes
Arkansas	Yes	Yes	Yes	No	Yes
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	No	No	No	No	Yes
Colorado	Yes	No	Yes	No	Yes
Connecticut	Yes	Yes	Yes	Yes	Yes
Delaware	Yes	No	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes	Yes	Yes
Florida	Yes	Yes	Yes	Yes	Yes
Georgia	No	No	No	No	Yes
Guam	No	n/a	No	No	No
Hawaii	No	No	No	No	No
Idaho**	n/a	n/a	n/a	n/a	n/a
Illinois	No	No	Yes	No	Yes
Indiana	No	No	Yes	Yes	Yes
Iowa	No	No	Yes	No	No
Kansas	Yes	Yes	No	No	Yes
Kentucky	No	No	No	No	No
Louisiana	Yes	Yes	Yes	N/A	Yes
Maine	No	No	Yes	No	No
Maryland	Yes	Yes	Yes	No	Yes
Massachusetts	No	No	Yes	No	Yes
Michigan	No	Yes	Yes	No	Yes
Minnesota	Yes	Yes	Yes	No	No
Mississippi	No	No	Yes	No	Yes
Missouri	Yes	Yes	Yes	No	Yes
Montana	No	No	No	No	Yes
Nebraska	Yes	Yes	Yes	No	Yes
Nevada	No	No	Yes	No	Yes
New Hampshire	Yes	No	Yes	No	Yes
New Jersey	Yes	Yes	Yes	No	No
New Mexico	No	No	No	No	Yes
New York	Yes	Yes	Yes	Yes	Yes
North Carolina	Yes	Yes	No	No	Yes
North Dakota	No	No	No	No	No
N. Mariana Islands	No	No	Yes	Yes	Yes
Ohio	Yes	No	Yes	No	Yes
Oklahoma	Yes	No	Yes	No	Yes
Oregon	No	No	No	No	No
Pennsylvania	Yes	No	Yes	No	No
Puerto Rico	No	Yes	Yes	No	Yes
Rhode Island	Yes	No	Yes	No	No
South Carolina	Yes	No	Yes	No	No
South Dakota	No	No	Yes	No	Yes
Tennessee	No	Yes	Yes	No	No
Texas	No	No	No	No	No
Utah	No	No	Yes	Yes	Yes
Vermont	No	No	Yes	No	Yes
Virgin Islands	Yes	n/a	Yes	Yes	Yes
Virginia	No	No	Yes	No	Yes
Washington	No	No	No	No	No
West Virginia	Yes	No	No	No	No
Wisconsin	Yes	Yes	Yes	No	Yes
Wyoming	No	No	No	No	No

OFFICER SAFETY POLICIES [Table 6.2]

State	Require Officers Use PFD's	Skin Care Safety	Hearing Safety	Back Safety
Alabama	Yes	Yes	Yes	Yes
Alaska	Yes	No	No	No
American Samoa	Yes	Yes	Yes	Yes
Arizona	Yes	No	No	No
Arkansas	Yes	No	No	No
California	n/a	n/a	n/a	n/a
Canada (Ontario)	Yes	Yes	No	No
Colorado	Yes	No	Yes	Yes
Connecticut	Yes	Yes	No	Yes
Delaware	Yes	No	No	No
District of Columbia	Yes	No	Yes	No
Florida	Yes	Yes	No	No
Georgia	Yes	Yes	Yes	No
Guam	No	No	No	No
Hawaii	No	No	No	Yes
Idaho**	n/a	n/a	n/a	n/a
Illinois	Yes	No	No	No
Indiana	No	No	No	No
Iowa	No	No	No	No
Kansas	No	No	No	No
Kentucky	No	No	No	No
Louisiana	Yes	Yes	Yes	Yes
Maine	Yes	No	No	Yes
Maryland	Yes	No	Yes	No
Massachusetts	Yes	No	No	No
Michigan	Yes	No	Yes	No
Minnesota	Yes	N/A	No	Yes
Mississippi	No	No	No	No
Missouri	No	Yes	Yes	No
Montana	No	No	No	No
Nebraska	No	No	No	No
Nevada	Yes	No	No	No
New Hampshire	Yes	No	Yes	No
New Jersey	Yes	No	No	No
New Mexico	No	No	Yes	Yes
New York	Yes	No	No	No
North Carolina	Yes	No	No	No
North Dakota	No	Yes	Yes	No
N. Mariana Islands	Yes	No	Yes	No
Ohio	Yes	Yes	Yes	No
Oklahoma	Yes	No	No	No
Oregon	Yes	No	No	No
Pennsylvania	Yes	No	No	Yes
Puerto Rico	Yes	Yes	Yes	Yes
Rhode Island	Yes	No	No	No
South Carolina	Yes	Yes	No	No
South Dakota	Yes	No	No	No
Tennessee	No	No	Yes	No
Texas	Yes	No	No	No
Utah	No	No	No	No
Vermont	Yes	No	No	No
Virgin Islands	Yes	No	No	No
Virginia	No	No	No	No
Washington	Yes	No	No	No
West Virginia	Yes	No	No	No
Wisconsin	Yes	No	Yes	Yes
Wyoming	No	No	No	No

OFFICER AID POLICIES

[Table 6.3]

State	Towing Distressed Vessels	First Responder at Accident	Use of First Aid	Good Samaritan Law	Search and Rescue
Alabama	Yes	Yes	Yes	Yes	Yes
Alaska	No	Yes	Yes	Yes	Yes
American Samoa	Yes	Yes	Yes	Yes	Yes
Arizona	Yes	No	No	Yes	No
Arkansas	No	No	No	Yes	No
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	Yes	No	No	No	Yes
Colorado	Yes	Yes	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes	Yes	Yes
Delaware	Yes	Yes	Yes	No	Yes
District of Columbia	Yes	Yes	Yes	Yes	Yes
Florida	Yes	Yes	Yes	Yes	Yes
Georgia	No	No	No	Yes	No
Guam	No	No	No	No	No
Hawaii	No	No	Yes	Yes	No
Idaho**	n/a	n/a	n/a	n/a	n/a
Illinois	No	No	No	No	No
Indiana	No	Yes	Yes	Yes	Yes
Iowa	No	No	No	Yes	No
Kansas	Yes	Yes	Yes	Yes	No
Kentucky	No	No	No	Yes	No
Louisiana	Yes	Yes	Yes	Yes	Yes
Maine	No	No	No	No	Yes
Maryland	Yes	No	No	No	Yes
Massachusetts	No	Yes	Yes	Yes	Yes
Michigan	Yes	No	Yes	Yes	Yes
Minnesota	No	No	Yes	Yes	No
Mississippi	Yes	Yes	No	Yes	No
Missouri	Yes	Yes	Yes	Yes	Yes
Montana	No	No	No	No	No
Nebraska	No	No	No	Yes	No
Nevada	No	No	No	Yes	No
New Hampshire	Yes	No	No	Yes	No
New Jersey	Yes	Yes	Yes	No	Yes
New Mexico	No	No	Yes	Yes	n/a
New York	Yes	Yes	Yes	Yes	Yes
North Carolina	No	No	No	No	No
North Dakota	No	No	No	No	Yes
N. Mariana Islands	Yes	Yes	Yes	Yes	Yes
Ohio	No	No	Yes	Yes	Yes
Oklahoma	Yes	Yes	Yes	Yes	Yes
Oregon	No	No	No	Yes	Yes
Pennsylvania	Yes	No	Yes	Yes	No
Puerto Rico	Yes	Yes	Yes	Yes	Yes
Rhode Island	No	No	No	No	No
South Carolina	Yes	No	No	Yes	No
South Dakota	Yes	Yes	No	Yes	No
Tennessee	Yes	Yes	No	Yes	No
Texas	No	No	No	Yes	No
Utah	No	No	No	No	No
Vermont	Yes	Yes	Yes	Yes	Yes
Virgin Islands	Yes	Yes	Yes	Yes	Yes
Virginia	No	Yes	Yes	Yes	No
Washington	No	No	No	Yes	No
West Virginia	No	No	No	No	No
Wisconsin	No	Yes	No	Yes	Yes
Wyoming	No	No	No	No	No

AGENCY INTERACTION & INVESTIGATION POLICIES

[Table 6.4]

State	Interaction with Local Agency	Interaction with State Agency	Interaction with Federal Agency	Investigation of Theft	Investigation of Fraud
Alabama	Yes	Yes	Yes	Yes	No
Alaska	No	No	No	No	No
American Samoa	Yes	Yes	Yes	Yes	Yes
Arizona	Yes	Yes	Yes	Yes	Yes
Arkansas	No	No	No	No	No
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	Yes	Yes	Yes	Yes	Yes
Colorado	Yes	Yes	Yes	No	No
Connecticut	Yes	Yes	Yes	Yes	Yes
Delaware	Yes	Yes	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes	Yes	Yes
Florida	No	No	No	No	No
Georgia	No	No	Yes	Yes	No
Guam	No	No	No	No	No
Hawaii	No	No	No	No	No
Idaho**	n/a	n/a	n/a	n/a	n/a
Illinois	Yes	No	No	No	No
Indiana	No	No	Yes	Yes	No
Iowa	No	No	No	No	No
Kansas	Yes	Yes	Yes	Yes	Yes
Kentucky	No	Yes	Yes	No	No
Louisiana	Yes	Yes	Yes	Yes	Yes
Maine	Yes	Yes	Yes	No	No
Maryland	Yes	Yes	Yes	Yes	Yes
Massachusetts	Yes	Yes	Yes	Yes	No
Michigan	Yes	Yes	Yes	Yes	Yes
Minnesota	Yes	No	N/A	No	No
Mississippi	No	Yes	Yes	Yes	Yes
Missouri	Yes	Yes	Yes	Yes	Yes
Montana	No	No	Yes	No	No
Nebraska	No	No	No	No	No
Nevada	No	No	No	No	No
New Hampshire	Yes	N/A	Yes	No	No
New Jersey	No	No	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes	n/a	n/a
New York	Yes	Yes	Yes	Yes	Yes
North Carolina	No	No	No	No	No
North Dakota	Yes	No	No	No	No
N. Mariana Islands	Yes	Yes	Yes	Yes	Yes
Ohio	No	No	No	No	No
Oklahoma	Yes	Yes	Yes	Yes	Yes
Oregon	Yes	Yes	No	Yes	No
Pennsylvania	No	No	No	No	No
Puerto Rico	Yes	Yes	Yes	Yes	Yes
Rhode Island	No	No	No	No	No
South Carolina	No	No	Yes	Yes	Yes
South Dakota	No	No	No	No	No
Tennessee	Yes	Yes	Yes	Yes	No
Texas	No	No	No	No	No
Utah	Yes	Yes	Yes	No	No
Vermont	Yes	Yes	Yes	No	No
Virgin Islands	Yes	Yes	Yes	Yes	No
Virginia	No	No	No	No	No
Washington	Yes	No	No	No	No
West Virginia	No	No	No	No	No
Wisconsin	Yes	Yes	Yes	Yes	Yes
Wyoming	No	No	No	No	No

OFFICER RESPONSIBILITIES POLICIES [Table 6.5]

State	Outside Employment	Substance Abuse	Off Duty Responsibilities
Alabama	Yes	Yes	Yes
Alaska	Yes	Yes	Yes
American Samoa	n/a	Yes	Yes
Arizona	Yes	Yes	No
Arkansas	Yes	Yes	Yes
California	n/a	n/a	n/a
Canada (Ontario)	Yes	No	Yes
Colorado	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes
Delaware	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes
Florida	Yes	Yes	No
Georgia	Yes	Yes	No
Guam	No	No	No
Hawaii	No	Yes	Yes
Idaho**	n/a	n/a	n/a
Illinois	Yes	Yes	No
Indiana	Yes	Yes	No
Iowa	Yes	Yes	No
Kansas	Yes	Yes	Yes
Kentucky	Yes	Yes	No
Louisiana	Yes	Yes	Yes
Maine	No	Yes	Yes
Maryland	Yes	Yes	Yes
Massachusetts	Yes	Yes	No
Michigan	Yes	Yes	Yes
Minnesota	Yes	Yes	Yes
Mississippi	Yes	Yes	No
Missouri	Yes	Yes	Yes
Montana	No	Yes	Yes
Nebraska	Yes	Yes	Yes
Nevada	No	Yes	Yes
New Hampshire	No	Yes	Yes
New Jersey	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes
New York	Yes	Yes	Yes
North Carolina	Yes	Yes	No
North Dakota	No	No	Yes
Northern Mariana Islands	Yes	Yes	Yes
Ohio	No	Yes	No
Oklahoma	Yes	Yes	Yes
Oregon	No	No	No
Pennsylvania	Yes	Yes	No
Puerto Rico	Yes	Yes	Yes
Rhode Island	No	Yes	Yes
South Carolina	Yes	Yes	No
South Dakota	Yes	Yes	No
Tennessee	Yes	Yes	Yes
Texas	Yes	Yes	Yes
Utah	Yes	Yes	No
Vermont	Yes	Yes	Yes
Virgin Islands	Yes	Yes	Yes
Virginia	Yes	Yes	No
Washington	No	No	No
West Virginia	Yes	Yes	Yes
Wisconsin	Yes	Yes	Yes
Wyoming	No	No	No

OFFICER TRAINING POLICIES

[Table 6.6]

State	Firearms Training	Firearms Training Re-certification	In-service Training
Alabama	Yes	Yes	Yes
Alaska	Yes	Yes	Yes
American Samoa	Yes	Yes	Yes
Arizona	Yes	Yes	Yes
Arkansas	Yes	Yes	No
California	n/a	n/a	n/a
Canada (Ontario)	Yes	Yes	Yes
Colorado	Yes	Yes	Yes
Connecticut	Yes	Yes	Yes
Delaware	Yes	Yes	Yes
District of Columbia	Yes	Yes	Yes
Florida	Yes	Yes	Yes
Georgia	Yes	Yes	Yes
Guam	No	No	No
Hawaii	Yes	Yes	Yes
Idaho**	n/a	n/a	n/a
Illinois	Yes	Yes	No
Indiana	Yes	Yes	Yes
Iowa	Yes	Yes	Yes
Kansas	Yes	Yes	Yes
Kentucky	Yes	Yes	Yes
Louisiana	Yes	Yes	Yes
Maine	Yes	Yes	Yes
Maryland	Yes	Yes	Yes
Massachusetts	Yes	Yes	Yes
Michigan	Yes	Yes	Yes
Minnesota	Yes	Yes	Yes
Mississippi	Yes	Yes	Yes
Missouri	Yes	Yes	Yes
Montana	Yes	Yes	Yes
Nebraska	Yes	Yes	Yes
Nevada	Yes	Yes	Yes
New Hampshire	Yes	N/A	Yes
New Jersey	Yes	Yes	Yes
New Mexico	Yes	Yes	Yes
New York	Yes	Yes	Yes
North Carolina	Yes	Yes	No
North Dakota	Yes	Yes	Yes
N. Mariana Islands	Yes	Yes	Yes
Ohio	Yes	Yes	No
Oklahoma	Yes	Yes	Yes
Oregon	No	No	No
Pennsylvania	Yes	Yes	Yes
Puerto Rico	Yes	Yes	Yes
Rhode Island	Yes	Yes	Yes
South Carolina	Yes	Yes	Yes
South Dakota	Yes	Yes	Yes
Tennessee	Yes	Yes	Yes
Texas	Yes	Yes	Yes
Utah	Yes	Yes	Yes
Vermont	Yes	Yes	Yes
Virgin Islands	Yes	Yes	Yes
Virginia	Yes	Yes	Yes
Washington	No	No	No
West Virginia	Yes	Yes	Yes
Wisconsin	Yes	Yes	Yes
Wyoming	Yes	Yes	Yes

OTHER AGENCY POLICIES [Table 6.7]

State	Use of Deadly Force	Use of Volunteers	Use of BUI Checkpoints	On-water Patrol Time	Working a Percentage of Time at Night	Carrying Emergency Equipment
Alabama	Yes	No	No	Yes	Yes	Yes
Alaska	Yes	Yes	No	No	No	No
American Samoa	No	Yes	Yes	Yes	Yes	No
Arizona	Yes	Yes	Yes	No	No	Yes
Arkansas	Yes	No	No	No	No	No
California	n/a	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	Yes	Yes	Yes	No	No	Yes
Colorado	Yes	Yes	No	Yes	No	Yes
Connecticut	Yes	Yes	Yes	Yes	No	Yes
Delaware	Yes	Yes	Yes	No	Yes	Yes
District of Columbia	Yes	Yes	No	No	Yes	Yes
Florida	Yes	Yes	No	No	No	No
Georgia	Yes	No	No	No	No	No
Guam	No	No	No	No	No	No
Hawaii	Yes	Yes	No	No	No	Yes
Idaho**	n/a	n/a	n/a	n/a	n/a	n/a
Illinois	Yes	No	Yes	No	No	No
Indiana	Yes	Yes	No	No	No	Yes
Iowa	Yes	No	Yes	No	No	Yes
Kansas	Yes	No	Yes	No	No	No
Kentucky	Yes	No	No	Yes	No	No
Louisiana	Yes	Yes	No - Law	No	No	Yes
Maine	Yes	Yes	Yes	No	No	No
Maryland	Yes	Yes	Yes	No	No	Yes
Massachusetts	Yes	Yes	No	No	No	Yes
Michigan	Yes	Yes	Yes	Yes	No	Yes
Minnesota	Yes	Yes	Yes	No	No	No
Mississippi	No	Yes	No	No	No	No
Missouri	Yes	No	Yes	No	No	Yes
Montana	Yes	Yes	No	No	No	No
Nebraska	Yes	No	No	No	No	No
Nevada	Yes	Yes	Yes	No	No	No
New Hampshire	Yes	Yes	No	Yes	No	Yes
New Jersey	Yes	No	No	No	No	Yes
New Mexico	Yes	Yes	No	No	No	Yes
New York	Yes	Yes	Yes	No	No	No
North Carolina	Yes	No	No	No	No	No
North Dakota	Yes	No	Yes	No	No	Yes
N. Mariana Islands	Yes	Yes	Yes	Yes	No	Yes
Ohio	Yes	Yes	No	Yes	No	No
Oklahoma	Yes	No	No	No	No	No
Oregon	No	Yes	No	Yes	No	Yes
Pennsylvania	No	Yes	No	No	No	No
Puerto Rico	Yes	No	No	Yes	Yes	Yes
Rhode Island	Yes	n/a	n/a	No	No	No
South Carolina	Yes	Yes	No	No	No	No
South Dakota	Yes	Yes	No	No	No	Yes
Tennessee	Yes	Yes	No	No	No	Yes
Texas	Yes	Yes	No	No	No	No
Utah	Yes	Yes	Yes	No	No	No
Vermont	Yes	Yes	Yes	Yes	Yes	Yes
Virgin Islands	Yes	No	No	Yes	No	No
Virginia	Yes	Yes	Yes	No	No	No
Washington	No	No	No	No	No	No
West Virginia	Yes	No	Yes	No	No	No
Wisconsin	Yes	Yes	Yes	No	No	Yes
Wyoming	Yes	Yes	No	No	No	No

BOATING SAFETY CASE LAW

Section 7 of the *Reference Guide to State Boating Laws* deals with the legal aspects of boating safety. States were asked if their state had an attorney general’s opinion, a lower court ruling or a superior court ruling regarding many topics including BUI checkpoints, BUI saturations, implied consent, probable cause, random safety inspections, negligent operation, PFD wear, seaplanes, boating safety education, numbering and titling, marine sanitation devices, regulating commercial vessels, agency funding, agency interaction and officer safety.

Readers interested in a specific ruling should contact that state’s boating law administrator for further information. Boating law administrators’ names and phone numbers are listed in Appendix B.

BOATING SAFETY CASE LAW

STATES WITH RULINGS ON:

Probable cause to stop a vessel	13
Numbering & titling of vessels	12
Implied consent	11
BUI checkpoints	11
Marine sanitation devices	10
Probable cause to board a vessel	9
PFD wear	7
Negligent operation	7

Source: NASBLA Reference Guide to State Boating Laws, Sixth Edition, 2000

*Includes District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, U.S. Virgin Islands.
Excludes Canada.

BOATING SAFETY CASE LAW

[Table 7.1]

State	BUI Checkpoints	BUI Saturation	Implied Consent	Probable Cause to Stop a Vessel	Probable Cause To Board Vessel
Alabama	n/a	n/a	n/a	n/a	n/a
Alaska	n/a	n/a	n/a	n/a	n/a
American Samoa	AGO	AGO	AGO	AGO	AGO
Arizona	n/a	n/a	n/a	n/a	n/a
Arkansas	n/a	n/a	n/a	n/a	n/a
California	SSCR	n/a	n/a	SSCR	n/a
Canada (Ontario)	n/a	n/a	n/a	n/a	n/a
Colorado	n/a	n/a	n/a	n/a	n/a
Connecticut	n/a	n/a	n/a	n/a	n/a
Delaware	n/a	n/a	n/a	n/a	n/a
District of Columbia	n/a	n/a	n/a	n/a	n/a
Florida	SSCR	SCR	SSCR	SCR, FCR	SCR, FCR
Georgia	n/a	n/a	SCR	SCR	SCR
Guam	n/a	n/a	n/a	n/a	n/a
Hawaii	n/a	n/a	n/a	n/a	n/a
Idaho	n/a	n/a	n/a	n/a	n/a
Illinois	n/a	n/a	n/a	n/a	n/a
Indiana	n/a	n/a	SCR	SCR	SCR
Iowa	SCR	n/a	n/a	n/a	n/a
Kansas	n/a	n/a	n/a	n/a	n/a
Kentucky	n/a	n/a	n/a	n/a	n/a
Louisiana	AGO	n/a	AGO	AGO, SCR, SSCR	n/a
Maine	n/a	n/a	n/a	n/a	n/a
Maryland	AGO, SCR, SSCR	n/a	USSCR	USSCR	USSCR
Massachusetts	n/a	n/a	n/a	n/a	n/a
Michigan	SCR	n/a	SSCR	SCR	SCR
Minnesota	SSCR	n/a	SSCR	n/a	n/a
Mississippi	n/a	n/a	n/a	n/a	n/a
Missouri	AGO	n/a	n/a	n/a	n/a
Montana	n/a	n/a	n/a	n/a	n/a
Nebraska	n/a	n/a	n/a	n/a	n/a
Nevada	n/a	n/a	n/a	n/a	n/a
New Hampshire	n/a	n/a	n/a	n/a	n/a
New Jersey	n/a	n/a	n/a	n/a	n/a
New Mexico	n/a	n/a	n/a	n/a	n/a
New York	n/a	n/a	n/a	n/a	n/a
North Carolina	n/a	n/a	n/a	SCR	n/a
North Dakota	n/a	n/a	n/a	n/a	n/a
N. Mariana Islands	n/a	n/a	n/a	n/a	n/a
Ohio	n/a	n/a	n/a	SCR	SCR
Oklahoma	n/a	n/a	n/a	n/a	n/a
Oregon	n/a	n/a	n/a	AGO, SCR, SSCR	AGO
Pennsylvania	n/a	n/a	n/a	n/a	n/a
Puerto Rico	n/a	n/a	n/a	n/a	n/a
Rhode Island	SSCR	n/a	AGO	SSCR	n/a
South Carolina	n/a	n/a	n/a	n/a	n/a
South Dakota	n/a	n/a	n/a	n/a	n/a
Tennessee	n/a	n/a	n/a	n/a	n/a
Texas	n/a	n/a	n/a	n/a	n/a
Utah	n/a	n/a	n/a	n/a	n/a
Vermont	n/a	n/a	SSCR	SCR	n/a
Virgin Islands	n/a	n/a	n/a	n/a	n/a
Virginia	AGO	n/a	AGO, SCR	AGO	AGO, SCR
Washington	n/a	n/a	n/a	n/a	n/a
West Virginia	n/a	n/a	n/a	n/a	n/a
Wisconsin	n/a	n/a	n/a	n/a	n/a
Wyoming	n/a	n/a	n/a	n/a	n/a

KEY: AGO - Attorney General's Opinion SCR - State Court Ruling SSCR - State Supreme Court Ruling
FCR - Federal Court Ruling USSCR - US Supreme Court Ruling

BOATING SAFETY CASE LAW

[Table 7.2]

State	Random Safety Inspections	Negligent Operation	Boating Safety Education	Officer Safety	PFD Wear
Alabama	n/a	n/a	n/a	n/a	n/a
Alaska	n/a	n/a	n/a	n/a	n/a
American Samoa	AGO	AGO	AGO	AGO	AGO
Arizona	n/a	n/a	n/a	n/a	n/a
Arkansas	n/a	n/a	n/a	n/a	n/a
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	n/a	n/a	n/a	n/a	n/a
Colorado	n/a	n/a	n/a	n/a	n/a
Connecticut	n/a	n/a	n/a	n/a	n/a
Delaware	n/a	n/a	n/a	n/a	n/a
District of Columbia	n/a	n/a	n/a	n/a	n/a
Florida	SCR, FCR	SCR, FCR, USSCR	n/a	n/a	n/a
Georgia	SCR	SCR	SCR	AGO, SCR, FCR	SCR
Guam	n/a	n/a	n/a	n/a	n/a
Hawaii	n/a	n/a	n/a	n/a	n/a
Idaho	n/a	n/a	n/a	n/a	n/a
Illinois	n/a	n/a	n/a	n/a	n/a
Indiana	n/a	n/a	n/a	n/a	n/a
Iowa	n/a	n/a	n/a	n/a	n/a
Kansas	n/a	n/a	n/a	n/a	n/a
Kentucky	n/a	n/a	n/a	n/a	n/a
Louisiana	n/a	n/a	n/a	n/a	n/a
Maine	n/a	n/a	n/a	n/a	n/a
Maryland	n/a	n/a	SCR	n/a	n/a
Massachusetts	n/a	n/a	n/a	n/a	n/a
Michigan	SCR	SCR	SCR	n/a	SCR
Minnesota	n/a	n/a	n/a	n/a	n/a
Mississippi	n/a	n/a	n/a	n/a	n/a
Missouri	AGO	n/a	n/a	n/a	AGO
Montana	n/a	n/a	n/a	n/a	n/a
Nebraska	n/a	n/a	n/a	n/a	n/a
Nevada	n/a	n/a	n/a	n/a	n/a
New Hampshire	n/a	n/a	n/a	n/a	n/a
New Jersey	n/a	n/a	n/a	n/a	n/a
New Mexico	n/a	n/a	n/a	n/a	n/a
New York	n/a	SCR	n/a	n/a	n/a
North Carolina	n/a	n/a	n/a	n/a	n/a
North Dakota	n/a	n/a	n/a	n/a	n/a
N. Mariana Islands	n/a	n/a	n/a	n/a	n/a
Ohio	n/a	n/a	n/a	SCR	SCR
Oklahoma	n/a	n/a	n/a	n/a	n/a
Oregon	n/a	n/a	n/a	n/a	n/a
Pennsylvania	n/a	n/a	n/a	n/a	n/a
Puerto Rico	n/a	AGO	AGO	AGO	AGO
Rhode Island	SSCR	SCR	n/a	n/a	n/a
South Carolina	n/a	n/a	n/a	n/a	n/a
South Dakota	n/a	n/a	n/a	n/a	n/a
Tennessee	n/a	n/a	n/a	AGO	n/a
Texas	n/a	n/a	n/a	n/a	n/a
Utah	n/a	n/a	n/a	n/a	n/a
Vermont	n/a	n/a	n/a	n/a	n/a
Virgin Islands	n/a	n/a	n/a	n/a	n/a
Virginia	AGO	n/a	n/a	n/a	n/a
Washington	n/a	n/a	n/a	n/a	n/a
West Virginia	n/a	n/a	n/a	n/a	n/a
Wisconsin	n/a	n/a	n/a	n/a	SCR, FCR
Wyoming	n/a	n/a	n/a	n/a	n/a

KEY: AGO - Attorney General's Opinion SCR - State Court Ruling SSCR - State Supreme Court Ruling
 FCR - Federal Court Ruling USSCR - US Supreme Court Ruling

BOATING SAFETY CASE LAW

[Table 7.3]

State	Interaction with Local Agencies	Interaction with State Agencies	Interaction with Federal Agencies	Agency Funding	Regulating Commercial Vessels
Alabama	n/a	n/a	n/a	n/a	n/a
Alaska	n/a	n/a	n/a	n/a	n/a
American Samoa	AGO	AGO	AGO	AGO	AGO
Arizona	n/a	n/a	n/a	n/a	n/a
Arkansas	n/a	n/a	n/a	n/a	n/a
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	n/a	n/a	n/a	n/a	n/a
Colorado	n/a	n/a	n/a	n/a	n/a
Connecticut	n/a	n/a	n/a	n/a	n/a
Delaware	n/a	n/a	n/a	n/a	n/a
District of Columbia	n/a	n/a	n/a	n/a	n/a
Florida	SCR	SCR	n/a	SCR	SCR, SSCR
Georgia	SCR	SCR	AGO, SSCR	SCR	SCR
Guam	n/a	n/a	n/a	n/a	n/a
Hawaii	n/a	n/a	n/a	n/a	n/a
Idaho	n/a	n/a	n/a	n/a	n/a
Illinois	n/a	n/a	n/a	n/a	n/a
Indiana	n/a	n/a	n/a	n/a	SCR
Iowa	n/a	n/a	n/a	n/a	n/a
Kansas	n/a	n/a	n/a	n/a	n/a
Kentucky	n/a	n/a	n/a	n/a	n/a
Louisiana	n/a	n/a	n/a	n/a	n/a
Maine	n/a	n/a	n/a	n/a	n/a
Maryland	n/a	n/a	n/a	n/a	n/a
Massachusetts	n/a	n/a	n/a	n/a	n/a
Michigan	n/a	n/a	n/a	n/a	SCR
Minnesota	AGO	AGO	n/a	n/a	n/a
Mississippi	n/a	n/a	n/a	n/a	n/a
Missouri	n/a	n/a	n/a	n/a	n/a
Montana	n/a	n/a	n/a	n/a	n/a
Nebraska	n/a	n/a	n/a	n/a	n/a
Nevada	n/a	n/a	n/a	n/a	n/a
New Hampshire	n/a	n/a	n/a	n/a	n/a
New Jersey	n/a	n/a	n/a	n/a	n/a
New Mexico	n/a	n/a	n/a	n/a	n/a
New York	n/a	n/a	n/a	FCR	AGO
North Carolina	n/a	n/a	n/a	n/a	n/a
North Dakota	n/a	n/a	n/a	n/a	n/a
N. Mariana Islands	n/a	n/a	n/a	n/a	n/a
Ohio	n/a	n/a	n/a	AGO	n/a
Oklahoma	n/a	n/a	n/a	n/a	n/a
Oregon	n/a	n/a	n/a	n/a	n/a
Pennsylvania	n/a	n/a	n/a	n/a	n/a
Puerto Rico	n/a	n/a	n/a	n/a	n/a
Rhode Island	n/a	n/a	n/a	SSCR	n/a
South Carolina	n/a	n/a	n/a	n/a	n/a
South Dakota	n/a	n/a	n/a	n/a	n/a
Tennessee	n/a	n/a	n/a	n/a	n/a
Texas	n/a	n/a	n/a	n/a	n/a
Utah	n/a	n/a	n/a	n/a	n/a
Vermont	n/a	n/a	n/a	n/a	n/a
Virgin Islands	n/a	n/a	n/a	n/a	n/a
Virginia	n/a	n/a	n/a	n/a	n/a
Washington	n/a	n/a	n/a	n/a	n/a
West Virginia	n/a	n/a	n/a	n/a	n/a
Wisconsin	n/a	n/a	AGO	SSCR	n/a
Wyoming	n/a	n/a	n/a	n/a	n/a

KEY: AGO - Attorney General's Opinion SCR - State Court Ruling SSCR - State Supreme Court Ruling
FCR - Federal Court Ruling USSCR - US Supreme Court Ruling

BOATING SAFETY CASE LAW

[Table 7.4]

State	Numbering and Tinting a Vessel	Marine Sanitation Devices	Seaplanes	Handcuffing	Search and Seizure
Alabama	n/a	n/a	n/a	n/a	n/a
Alaska	n/a	n/a	n/a	n/a	n/a
American Samoa	AGO	AGO	AGO	AGO	AGO
Arizona	n/a	n/a	n/a	n/a	n/a
Arkansas	n/a	n/a	n/a	n/a	n/a
California	n/a	n/a	n/a	n/a	n/a
Canada (Ontario)	n/a	n/a	n/a	n/a	n/a
Colorado	n/a	n/a	n/a	n/a	n/a
Connecticut	SSCR	n/a	n/a	AGO, SCR	n/a
Delaware	n/a	n/a	n/a	n/a	n/a
District of Columbia	n/a	n/a	n/a	n/a	n/a
Florida	SCR	SCR	n/a	n/a	n/a
Georgia	SCR	SCR	SCR	n/a	n/a
Guam	n/a	n/a	n/a	n/a	n/a
Hawaii	n/a	n/a	n/a	n/a	n/a
Idaho	n/a	n/a	n/a	n/a	n/a
Illinois	n/a	n/a	n/a	n/a	n/a
Indiana	n/a	n/a	n/a	n/a	SCR
Iowa	n/a	n/a	n/a	n/a	n/a
Kansas	n/a	n/a	n/a	n/a	n/a
Kentucky	n/a	AGO	n/a	n/a	n/a
Louisiana	n/a	n/a	n/a	n/a	n/a
Maine	n/a	n/a	n/a	n/a	n/a
Maryland	n/a	n/a	n/a	n/a	n/a
Massachusetts	n/a	n/a	n/a	n/a	n/a
Michigan	SCR	SCR, SSCR	AGO	n/a	n/a
Minnesota	n/a	n/a	n/a	n/a	n/a
Mississippi	n/a	n/a	n/a	n/a	n/a
Missouri	AGO	AGO	n/a	n/a	AGO
Montana	n/a	n/a	n/a	n/a	n/a
Nebraska	n/a	n/a	n/a	n/a	n/a
Nevada	n/a	n/a	n/a	n/a	n/a
New Hampshire	n/a	n/a	n/a	n/a	n/a
New Jersey	n/a	n/a	n/a	n/a	n/a
New Mexico	n/a	n/a	n/a	n/a	n/a
New York	n/a	SCR	n/a	n/a	n/a
North Carolina	n/a	FCR	n/a	n/a	n/a
North Dakota	n/a	n/a	n/a	n/a	n/a
N. Mariana Islands	n/a	n/a	n/a	n/a	n/a
Ohio	AGO	n/a	n/a	n/a	n/a
Oklahoma	n/a	n/a	n/a	n/a	n/a
Oregon	n/a	n/a	n/a	n/a	n/a
Pennsylvania	n/a	n/a	n/a	n/a	n/a
Puerto Rico	n/a	n/a	n/a	n/a	n/a
Rhode Island	SSCR	n/a	n/a	n/a	n/a
South Carolina	n/a	n/a	n/a	n/a	n/a
South Dakota	n/a	n/a	n/a	n/a	n/a
Tennessee	AGO	AGO	n/a	n/a	n/a
Texas	n/a	n/a	n/a	n/a	n/a
Utah	SCR	n/a	n/a	n/a	n/a
Vermont	n/a	SCR	n/a	n/a	n/a
Virgin Islands	n/a	n/a	n/a	n/a	n/a
Virginia	AGO, SCR	n/a	n/a	n/a	n/a
Washington	n/a	n/a	n/a	n/a	n/a
West Virginia	n/a	n/a	n/a	n/a	n/a
Wisconsin	AGO, SSCR	n/a	n/a	n/a	n/a
Wyoming	n/a	n/a	n/a	n/a	n/a

KEY: AGO - Attorney General's Opinion SCR - State Court Ruling SSCR - State Supreme Court Ruling
 FCR - Federal Court Ruling USSCR - US Supreme Court Ruling

FUTURE BOATING LEGISLATION [Table 7.5]

State	Pending Boating Legislation / Regulatory Changes
Alabama	Lowering BAC to 0.08; marine sanitation devices standards; raise minimum operator age from 12 to 14
Alaska	None
American Samoa	N/A
Arizona	Mandatory education
Arkansas	n/a
California	None
Canada (Ontario)	n/a
Colorado	n/a
Connecticut	Strengthen current BUI laws; increase PWC operator age from 12 to 16; operation of a vessel by minors
Delaware	Boating Under the Influence; personal watercraft; boat titling
District of Columbia	N/A
Florida	Personal watercraft operator age; diver down flag violations amended; boater education enhancements
Georgia	n/a
Guam	n/a
Hawaii	PFDs for PWC operators and passengers; mandatory PFD wear for 12 and under; mandatory PWC education
Idaho	Rule changes for PFDs; minimum operator age and education for minors
Illinois	N/A
Indiana	Change PFD requirement to match USCG; maximum boat noise; mandatory education
Iowa	Mandatory education; BUI; personal watercraft
Kansas	Boat registration fee increase
Kentucky	N/A
Louisiana	Continue to work on mandatory education and other boating laws
Maine	Municipalities are making recommendations for boating law changes on individual waters
Maryland	n/a
Massachusetts	n/a
Michigan	N/A
Minnesota	n/a
Mississippi	n/a
Missouri	Mandatory boater education
Montana	n/a
Nebraska	n/a
Nevada	Support of mandatory boater education; model noise act
New Hampshire	Personal watercraft and mandatory education
New Jersey	None
New Mexico	next year - BAC and mandatory education
New York	Update to Vessel Equipment Requirements; pending bill to extend from 100 ft to 200 ft the distance from shore where speed limit is 5mph; extend current BUI provisions to any vessel with mechanical power, whether mechanical power is being used at the time or not
North Carolina	n/a
North Dakota	n/a
N. Mariana Islands	n/a
Ohio	N/A
Oklahoma	Mandatory education
Oregon	Titling outboard motors; BAC level for minors
Pennsylvania	Mandatory education for motorboat operators
Puerto Rico	Mandate PFDs for PWC operators and passengers; children 12 and under must use PFDs aboard a moving vessel; BUI; provide capacity to enforcement officials to issue tickets for boating violations; regulation of boating traffic within endangered species habitats; prohibit tying vessels to mangrove branches or roots; require operators born after 7/1/72 to take a NASBLA approved boating course.
Rhode Island	n/a
South Carolina	n/a
South Dakota	n/a
Tennessee	Change BUI penalties to match DUI; mandatory education implementation by 2001; establish guidelines for abandoned vessels; vessel operator identification law
Texas	n/a
Utah	Drivers license endorsement for motorboat operators
Vermont	Bill to change water ski waiver process from the VT Dept. of Public Safety to Water Resources Board
Virgin Islands	Reducing BAC level from 0.10 to 0.08
Virginia	n/a
Washington	Establish a progressive penalty schedule for repeat BUI violations and implied consent; mandatory education / licensing for PWC operators 16 and under
West Virginia	Mandatory PFD wear for children 12 and under
Wisconsin	Mandatory PFD use for children 12 and under; BUI, mandatory education
Wyoming	Registration of all motorized watercraft

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APPENDIX A

REFERENCE GUIDE TO STATE BOATING LAWS SIXTH EDITION SURVEY

Produced by the
National Association of State Boating Law Administrators
Law Enforcement Committee

If you have any questions regarding this survey, please contact Chris Moore or Ron Sarver at 859-225-9487 or fax at 859-231-6403.

Please return this survey to:
Chris Moore
NASBLA
1500 W Main Street, Suite 210
Lexington, KY 40511

Information about the person completing this survey:

Name: _____
Title: _____
Organization: _____
Address: _____
City/State/Zip: _____
Phone: _____
Fax: _____
Email: _____
Date of Completion: _____

Thank you for your assistance!

This project is funded under a grant from the Aquatic Resources (Wallop/Breaux) Trust Fund administered by the U.S. Coast Guard.

APPENDIX A

SECTION 1 - GENERAL INFORMATION

Part A - General Information

1. # of boats numbered in 1999: _____
2. # of boating fatalities in 1999: _____
3. Cabinet/Department of which your agency is a part: _____
4. Other areas for which your agency has primary enforcement responsibilities: _____

5. Are agency enforcement personnel deputized to enforce federal fish and game laws? YES NO
6. Are boating safety statutes available electronically? YES NO
7. Are safe boating regulations available electronically? YES NO
8. Does your agency have a web page? YES NO
9. If yes, what is the address? _____
10. Does your agency share jurisdiction for enforcing safe boating laws with another agency / organization? YES NO
11. If yes, where and with whom? _____
12. What is your state legislative web site address? _____
13. When will your state legislature meet in 2001? _____

Part B - Commercial Vessels

1. Does your state regulate commercial vessels on sole state waters? YES NO
2. Is your agency responsible for enforcing regulations on commercial vessels on sole state waters? ..
..... YES NO
3. If not, which state agency is responsible? _____

Part C - White Water

1. Does your state regulate vessel operation in white water areas? YES NO
2. Does your agency regulate commercial white water operations? YES NO

Part D - Dive Team

- 1. Does your agency have a dive team? YES NO
- 2. What agency is responsible for victim recovery? _____

SECTION 2 - VESSEL OPERATION

Part A - Operator Age

- 1. Does your state set a minimum age requirement to operate a motor powered vessel other than a PWC? YES NO
- 2. If yes, what is the age? _____
- 3. Does your state require an adult to be on board when a minor is operating a vessel? YES NO

Part B - Education

- 1. Does your state require mandatory boating safety education? YES NO
- 2. If yes, for what age? _____
- 3. Is issuance of a license / certificate dependant on passing an exam? YES NO
- 4. Which persons are required to successfully complete a boating safety education course? _____

- 5. Are non residents exempt? YES NO
- 6. Are previous owners exempt? YES NO
- 7. Are Coast Guard captains exempt? YES NO
- 8. Are others exempt? Please list: _____
- 9. Does your state require mandatory boat operator licensing? YES NO
- 10. Does your state certify minor boaters? YES NO
- 11. What is the minimum age someone can be certified? _____
- 12. # of students certified in 1999: _____
- 13. # of class hours required for certification: _____
- 14. Does your state have reciprocity for accepting out of state certification of minor boaters if the certification course is NASBLA approved? YES NO
- 15. Is boating education offered in public schools? YES NO
- 16. Who offers state boating education courses? _____

APPENDIX A

Part B - Education

- 17. Is special education required to operate a PWC? YES NO
- 18. If yes, which age groups? _____
- 19. Does your state use inland rules of navigation? _____
- 20. If no, which ones? _____
- 21. What are your future plans for boater education? _____

Part C - Water Skiing

- 1. Does your state require an observer to be present when pulling a skier? YES NO
- 2. Does your state require a mirror to be present when pulling a skier? YES NO
- 3. Does your state prohibit water skiing during any time of the day? YES NO
- 4. If yes, what times? _____
- 5. Does your state require a skier to wear a PFD? YES NO
- 6. Is tubing allowed? YES NO
- 7. Does your state require skis to have white undersides? YES NO
- 8. Is kite sailing (parasailing) allowed? YES NO
- 9. Are self-propelled skis allowed? YES NO
- 10. Does your state require a skier down flag? YES NO
- 11. Describe any other water skiing restrictions: _____

SECTION 3 - VESSEL AND EQUIPMENT REGULATIONS

Part A - Boat Noise

- 1. Is there a maximum noise level for motorboats? YES NO
- 2. If yes, give levels and standard used (ex: SAE J-2005) _____
- 3. Is there a factory muffling alteration law? YES NO
- 4. Distance required for measuring boat noise from a passing motorboat: _____
- 5. Distance required for measuring boat noise from shore: _____
- 6. Methods prescribed by law for testing violators: _____

Part A - Boat Noise

- 7. Penalties for violation: _____
- 8. Is boat noise governed by local ordinance? _____

Part B - Anchor Lights

- 1. Does your state require anchor lights YES NO
- 2. Does your state specify which vessels must have anchor lights? YES NO
- 3. Please describe your state's anchor lighting requirements: _____

Part C - Marine Sanitation Devices

- 1. Does your state mandate marine sanitation devices? YES NO
- 2. What is the minimum sized vessel that must have a MSD? YES NO
- 3. Does your state prohibit Y-valve through hull discharge in waters of state jurisdiction?
..... YES NO
- 4. Does your state require Y-valves to be locked closed in waters of state jurisdiction? YES NO
- 5. What are penalties for misuse or failure to equip a vessel with a marine sanitation device? _____

- 6. What are penalties for illegal dumping/discharge of MSD? _____

Part D - Numbering & Titling

- 1. Does your state require titling of motor powered vessels? YES NO
- 2. Does your state require titling of outboard motors? YES NO
- 3. If yes, what type of outboards? _____
- 4. Does your state require registration of motor powered vessels? YES NO
- 5. Does your state require registration of outboard motors? YES NO
- 6. If yes, what type of outboards? _____
- 7. What are penalties for not registering a vessel? _____
- 8. What are penalties for not titling a vessel? _____
- 9. Does your state require non-powered vessels to be numbered? YES NO
- 10. Does your state require non-powered vessels to be titled? YES NO
- 11. Does your state require non-powered vessels to be registered YES NO
- 12. If yes, please list: _____

APPENDIX A

Part D - Numbering & Titling

13. Does your state's titling authority require an inspection by a law enforcement officer where discrepancies are apparent in HIN's, bills of sale, etc. when a boat is sold and a title application is submitted by the new owner? YES NO
14. Are owners of non-powered vessels required to pay a user fee? YES NO
15. List of user fees (specify annual fees per year): _____

Part E - Personal Watercraft

1. Does your state have a minimum age for PWC operation? YES NO
2. If yes, please list: _____
3. Does your state prohibit PWC operation at any time? YES NO
4. Indicate hours of prohibited PWC operation: _____
5. Does your state allow PWCs to pull a skier? YES NO
6. If yes, are there restrictions? Please list: _____
7. Is there a speed limit specific to PWCs other than slow/no wake zones? YES NO
8. If yes, please list: _____
9. Is PWC operation restricted within any area or zone? YES NO
10. If yes, please list area or zone: _____
11. Are limitations imposed on wake jumping with PWC's? YES NO
12. If yes, please describe limitations: _____
13. Is there a "kill switch" requirement for PWCs? YES NO
14. Does your state require PWC rental operators to provide any instruction or education in PWC operation? YES NO

Part F - Personal Flotation Devices

1. Does your state mandate the wearing of PFDs? YES NO
2. If yes, under which circumstances? _____
3. What are age requirements for wearing PFDs? _____
4. Has your state changed its requirements on Type IV PFDs to be consistent with federal law? YES NO
5. If yes, what is the effective date? _____
6. What are the penalties for violating PFD regulations? _____

SECTION 4 - LAW ENFORCEMENT

Part A - Boating Under the Influence

1. Does your state have BUI laws for vessels? YES NO
2. What is BAC level at which a person is considered intoxicated? _____
3. Does your state have a zero tolerance level for BUI content in reference to minor boaters?
..... YES NO
4. Does a BUI conviction impact an offender's automobile driving privileges in any way?
..... YES NO
5. If yes, please describe: _____
6. Are BUI saturation patrols utilized in your state? YES NO
7. Are BUI checkpoints utilized in your state? YES NO
8. Does your state have an implied consent law for watercraft? YES NO
9. Can refusal of a test be used against a boater in criminal prosecution? YES NO
10. Does your state allow blood test? YES NO
11. Does your state allow breath test? YES NO
12. Does your state allow urine test? YES NO

Does your state require the following tests for criminal evidence in BUI cases:

13. Blood YES NO
14. Breath YES NO
15. Urine YES NO
16. Does your state require field sobriety test be conducted on shore? YES NO
17. Is warrantless arrest provision established in state law? YES NO
18. Does your state allow the use of hand held or portable BUI enforcement equipment? YES NO
19. Does your state allow hand held or portable BUI enforcement equipment to be used for probable
cause? YES NO
20. Does your state allow hand held or portable BUI enforcement equipment to be used for evidentiary
purposes? YES NO
21. What percentage of law enforcement officers have access to hand held or portable BUI enforcement
equipment in your state? _____

APPENDIX A

Part B - Boarding Vessels

1. Does state law require probable cause for marine officers to board a vessel? YES NO
2. Does state law require probable cause for marine officers to stop a vessel? YES NO
3. Do marine officers utilize random safety inspections that include boarding? YES NO
4. Do marine officers utilize random safety BUI inspections that include boarding? . . YES NO

Part C - Towing

1. Are marine officers allowed to tow distressed vessels? YES NO
2. If not, what is the prescribed protocol for aiding a distressed vessel? _____

Part D - Miscellaneous

1. Does your state allow citations for “negligent operation” of a vessel? YES NO
2. Are seaplanes “on the water” treated as vessels? YES NO
3. Please list any specific regulations: _____
4. Please list any specific regulations that your state has for unique boat types such as air boats, houseboats, skimmers, surface effects, etc. _____
5. Does your state mandate liability insurance for boaters? YES NO
6. Please list your state’s definition of “Personal Watercraft”: _____

SECTION 6 - MARINE LAW ENFORCEMENT POLICY

Does your state have a written, formal marine law enforcement policy, operational procedure or executive order on:

1. Requiring officers to wear PFDs YES NO
2. Use of deadly force YES NO
3. On-water pursuit YES NO
4. Interstate on-water pursuit YES NO
5. Transporting suspects YES NO
6. Transporting accident victims YES NO
7. Transporting guests YES NO
8. Towing distressed vessels YES NO
9. Being a first responder at an accident YES NO
10. Use of first aid YES NO

- 11. Good Samaritan law YES NO
- 12. Outside employment YES NO
- 13. Substance abuse YES NO
- 14. Use of volunteers YES NO
- 15. Interaction with local agencies YES NO
- 16. Interaction with other state agencies YES NO
- 17. Interaction with federal agencies YES NO
- 18. Off-duty responsibilities YES NO
- 19. Search and Rescue YES NO
- 20. Investigation of theft YES NO
- 21. Investigation of fraud YES NO
- 22. Firearms training YES NO
- 23. Firearms training re-certification YES NO
- 24. In-service training YES NO
- 25. Use of BUI checkpoints YES NO
- 26. On-water patrol time as a safety factor YES NO
- 27. Working a percentage of time on night patrol YES NO
- 28. Carrying emergency equipment (loaner PFD's, throw lines, etc) YES NO
- 29. Skin care safety YES NO
- 30. Hearing safety YES NO
- 31. Back safety YES NO

Other

- 1. Does your state require an adult on board for a minor to operate a PWC? YES NO
- 2. Does your state require the use of PFDs when operating a PWC? YES NO

APPENDIX A

SECTION 7 - BOATING SAFETY CASE LAW

Please check if your state has had an attorney general's opinion, lower court ruling or superior court ruling in regard to the following:

Case Topic	AGO	SCR	SSCR	FCR	USSCR
BUI Checkpoints	_____	_____	_____	_____	_____
BUI Saturations	_____	_____	_____	_____	_____
Negligent Operation	_____	_____	_____	_____	_____
Implied Consent	_____	_____	_____	_____	_____
Probable Cause used to stop a vessel	_____	_____	_____	_____	_____
Probable Cause used to board a vessel	_____	_____	_____	_____	_____
Random Safety Inspections	_____	_____	_____	_____	_____
Negligent Operation	_____	_____	_____	_____	_____
Seaplanes	_____	_____	_____	_____	_____
PFD Wear	_____	_____	_____	_____	_____
Boating Safety Education	_____	_____	_____	_____	_____
Numbering and Titling of Vessels	_____	_____	_____	_____	_____
Marine Sanitation Devices	_____	_____	_____	_____	_____
Regulating Commercial Vessels	_____	_____	_____	_____	_____
Agency Funding	_____	_____	_____	_____	_____
Interaction with local agencies	_____	_____	_____	_____	_____
Interaction with other state agencies	_____	_____	_____	_____	_____
Interaction with federal agencies	_____	_____	_____	_____	_____
Officer Safety	_____	_____	_____	_____	_____
Other(s)	_____	_____	_____	_____	_____

Please include a copy of any of the above topics from your state.

KEY: AGO - Attorney General's Opinion SCR - State Court Ruling SSCR - State Supreme Court Ruling
 FCR - Federal Court Ruling USSCR - US Supreme Court Ruling

APPENDIX B

STATE BOATING LAW ADMINISTRATORS

ALABAMA

William B. Garner
Dept of Conservation & Natural Resources
Marine Police Div
64 N. Union St Rm 438
Montgomery AL 36130-1451
Phone: 334-353-2628
Fax: 334-242-0336
Email: vhopson@dcnr.state.al.us

ARKANSAS

Mike Wilson
Game & Fish Commission
Boating Administration
#2 Natural Resources Dr
Little Rock AR 72205
Phone: 501-223-6399
Fax: 501-223-6407
Email: jmwilson@agfc.state.ar.us

ALASKA

Jeff Johnson
Off of Boating Safety
Div of Parks & Outdoor Recreation/DNR
550 W 7th St Ste 1380
Anchorage AK 99501
Phone: 907-269-8705
Fax: 907-269-8907
Email: jeffj@dnr.state.ak.us

CALIFORNIA

Carlton D. Moore
Dept of Boating & Waterways
2000 Evergreen St
Sacramento CA 95815-3896
Phone: 916-263-4326
Fax: 916-263-0648
Email: cmoore@dbw.ca.gov

AMERICAN SAMOA

Tasi Mauga
Dept of Public Safety
Police Services
PO Box 1086
Pago Pago AS 96799
Phone: 684-633-2004 or 633-1718
Fax: 684-633-5031
Email: one_mountain@yahoo.com

COLORADO

Rick Storm
Dept of Natural Resources
Div of Parks & Recreation
13787 S Hwy 85
Littleton CO 80125
Phone: 303-791-1954
Fax: 303-470-0782
Email: richard.storm@state.co.us

ARIZONA

Kim Keith
Game & Fish Dept
Law Enforcement Branch
2221 West Greenway Rd
Phoenix AZ 85023
Phone: 602-789-3383
Fax: 602-789-3945
Email: kkeith@gf.state.az.us

CONNECTICUT

Eleanor C. Mariani
Boating Div
Dept of Environmental Protection
PO Box 280
Old Lyme CT 06371-0280
Phone: 860-434-8638
Fax: 860-434-3501
Email: eleanor.mariani@po.state.ct.us

DELAWARE

James H. Graybeal
Dept of Natural Resources
& Environmental Control
Div of Fish & Wildlife
89 Kings Hwy
Dover DE 19901
Phone: 302-739-3440
Fax: 302-739-6157
Email: jgraybeal@state.de.us

DISTRICT OF COLUMBIA

Lt Alfred Durham
Harbor Patrol Section
Metropolitan Police Dept
550 Water St SW
Washington DC 20024
Phone: 202-727-4582
Fax: 202-727-3663

FLORIDA

Capt Paul Ouellette
Fish & Wildlife Conservation Commission
620 S Meridian St
Tallahassee FL 32399-1600
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